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NEW DELHI, SATURDAY, MAY 9, 1981/VAISAKHA 19, 1903

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(विधि कार्य विभाग)

(Department of Legal Affairs)

सूचना

NOTICE

नई दिल्ली, 14 अप्रैल, 1981

New Delhi, the 14th April, 1981

क्रा० घा० 1343.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सशम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री मेजर शम्भू नाथ दुत्त, अधिवक्ता न्यू देहली ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे डिफेंस कालोनी, न्यू देहली (केन्द्र शासित प्रदेश दिल्ली) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

S.O. 1343.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Major Shambu Nath Dutt, Advocate, New Delhi for appointment as a Notary to practise in Defence Colony, New Delhi (Union Territory of Delhi).

2. उक्त व्यक्ति की नाटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपक्ष हम सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पाम भेजा जाए।

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[सं० 5 (23)/81-न्या०]

[No. F. 5(23)/81-Judl.]

नई दिल्ली, 15 अप्रैल, 1981

क्रा० प्रा० 1344.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री राजनाथ जामराय, अधिवक्ता दिल्ली ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे केन्द्र शासित प्रदेश दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं० 5 (29)/81-न्या०]

New Delhi, the 15th April, 1981

S.O. 1344.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Raj Nath Jasmal, Advocate, Delhi for appointment as a Notary to practise in Union territory of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(29)/81-Judl.]

नई दिल्ली, 16 अप्रैल, 1981

क्रा० प्रा० 1345.—नोटरीज नियम 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री मंगल सिंह अधिवक्ता 73 विश्वकर्मा पार्क लक्ष्मी नगर, दिल्ली-92 के वे उक्त प्राधिकारी को उक्त नियम 4 के अधीन एक आवेदन इस बात के लिये दिया है कि उसे दिल्ली में व्यवसाय करने के लिये नोटरी के रूप में नियुक्त किया जाये।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार की आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाये।

[सं० 5 (21)/81-न्या०]

New Delhi, the 16th April, 1981

S.O. 1345.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Mangal Singh, Advocate, 73, Vishkarma Park, Laxami Nagar, Delhi-92 for appointment as a Notary to practise in Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(21)/81-Judl.]

क्रा० प्रा० 1346.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री सलामत राय, अधिवक्ता आर-19 राजौरी गार्डन न्यू दिल्ली-110027 ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे राजौरी गार्डन में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं० 5 (27)/81-न्या०]

S.O. 1346.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Salamat Rai, Advocate, R-19, Rajouri Garden, New Delhi-110027, for application as a Notary to practise in Rajouri Garden.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[F. No. 5(27)/81-Judl.]

नई दिल्ली, 18 अप्रैल, 1981

क्रा० प्रा० 1347.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री कलवी काबाखजी सिद्वा, एडवोकेट, बी/23, हैदराबाद एस्टेट, नेपियन रोड, मुम्बई ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि महाराष्ट्र प्रदेश और मुम्बई शहर में व्यवसाय करने के लिये नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं० 5 (10)/80-न्या०]

New Delhi, the 18th April, 1981

S.O. 1347.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Kalwi Cawasji Sidhva, Advocate, B-23, Hyderabad Estate, Napeansea Road, Bombay for appointment as a Notary to practise in State of Maharashtra and in the city of Bombay.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(10)/81-Judl.]

क्रा० प्रा० 1348.—नोटरीज नियम 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री मृत्युन्जय दे, अधिवक्ता, कानकता ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बैंक रोड (कानकता) स्थित चैफ मेट्रोपोलिटन कोर्ट में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं० 5 (28)/81-न्या०]

S.O. 1348.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Mrityunjay Dey, Advocate, 7-D, Rajabagan Street, Calcutta-6, for appointment as a Notary to practise in Chief Metropolitan Magistrate Court at 3 Bankshall Street, Calcutta-1.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(28)/81-Judl.]

का० प्र० 1349—नॉटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री ए० के० प्रामा-निक, अधिवक्ता, कलकत्ता ने उक्त प्राधिकारी को उक्त नियम के नियम 4क के अधीन एक आवेदन इस बात के लिए दिया है कि उसे पश्चिम बंगाल में व्यवसाय करने के लिए नॉटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्षित इस सूचना के प्रकाशन के चौदह दिनों के भीतर लिखित रूप में मेरे पास भेजा जाए।

[स० 3 (31)/81-न्या०]

एम० गुप्ता, सक्षम प्राधिकारी

S.O. 1349.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri A. K. Pramanick, Advocate, Calcutta for appointment as a Notary to practice in the State of West Bengal.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(31)/81-Judl.]

S. GOOPTU, Competent Authority.

गृह मंत्रालय

(कार्यिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 21 अप्रैल, 1981

का० प्र० 1350—राष्ट्रपति, सचिवालय के अनुच्छेद 146 के खंड (3) के साथ पठित संविधान के अनुच्छेद 309 के परन्तुक भाग प्रदत्त शक्तियों का प्रयोग करने हुए तथा भारतीय लेखा परीक्षा और लेखा विभाग में सेवारत व्यक्तियों के संबंध में नियंत्रक और महालेखा परीक्षक से परामर्श करने के पश्चात् केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्—

1. (1) इस नियमों का सक्षिप्त नाम केन्द्रीय सिविल सेवा (पेंशन) (बीषा संशोधन) नियम, 1981 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 में (जिसमें हमने सके पश्चात् उक्त नियम कहा गया है) (i) नियम 5 के उपनियम (2) के परन्तुक में "अथवा नियम 48" शब्दों और अंको के पश्चात् "अथवा नियम 48क" शब्द, अंक और अक्षर रखे जाएंगे,

(ii) नियम 54 के उपनियम (6) के परन्तुक के खंड (ii) में "मजदूरी देने वाला प्राधिकारी" शब्दों के स्थान पर "नियुक्ति करने वाला प्राधिकारी" शब्द रखे जाएंगे—

(iii) नियम 64 के उपनियम (7) के खंड (क) में "अपमान की उस अधिक रकम को उपनियम (4) के खंड (क) के उपखंड (ii) के अधीन विधायित उपदान में से समायोजित करे या अधिक रकम किसी में अविध्य में संवेद्य पेंशन का कम संवेद्य करके, धमूक करे" शब्दों के स्थान पर "पेंशन की उस अधिक रकम को उपनियम (4) के खंड (क) के उपखंड (ii) के अधीन विधायित (रकम) उपदान में से समायोजित करे या पेंशन की अधिक रकम किसी में अविध्य में संवेद्य पेंशन की कम संवेद्य करके, धमूक करे" शब्द रखे जाएंगे,

(iv) नियम 66 के परन्तुक में "एक सौ पचास रुपए प्रति मास से अनधिक" शब्दों के स्थान पर, "दो सौ पचास रुपए प्रतिमास से अनधिक" शब्द रखे जाएंगे,

(v) नियम 69 के उपनियम (i) के खण्ड (क) में "ठीक पूर्व की तारीख" शब्दों के स्थान पर "उस तारीख" शब्द रखे जाएंगे;

(vi) नियम 80क के उपनियम (5) के परन्तुक में "एक सौ पचास रुपए से अनधिक" शब्दों के स्थान पर "दो सौ पचास रुपए से अनधिक" शब्द रखे जाएंगे।

3. उक्त नियमों से उपाखण्ड प्रकरण 7 में—

* (i) * * * * *

* (ii) * * * * *

[स० 31 (4)/पेन/80]

हजारा सिंह, प्रवर सचिव।

"हिंदी पाठ में यह संशोधन आवश्यक नहीं है।"

MINISTRY OF HOME AFFAIRS

(Department of Personnel and Administrative Reforms)

New Delhi, the 21st April, 1981

S.O. 1350.—In exercise of the powers conferred by the proviso to article 309 read with clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely:—

1. (1) These rules may be called the Central Civil Services (Pension) (Fourth Amendment) Rules, 1981.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Central Civil Services (Pension) Rules, 1972 (hereinafter referred to as the said rules),—

(i) in the proviso to sub-rule (2) of rule 5, after the words and figures "or rule 48" the words, figures and letter "or rule 48A" shall be added;

(ii) in clause (iv) of the Proviso to sub-rule (6) of rule 54, for the words "sanctioning authority" the words "appointing authority" shall be substituted;

(iii) in clause (a) of sub-rule (7) of rule 64, for the words "the excess amount of gratuity out of the gratuity withheld under sub-clause (ii) of clause (a) of sub-rule (4) or recover the excess amount in instalments making short-payments of the pension payable in future", the words "excess amount of pension out of the gratuity withheld under sub-clause (ii) of clause (a) of sub-rule (4) or recover the excess amount of pension in instalments by making short payments of pension payable in future." shall be substituted;

(iv) in the proviso to rule 66, for the words "not exceeding one hundred and fifty rupees per mensem", the words "not exceeding two hundred and fifty rupees per mensem", shall be substituted;

(v) in clause (a) of sub-rule (1) of rule 69, for the words "then date" the words "the date" shall be substituted.

(vi) in the proviso to sub-rule (5) of rule 80A, for the words, "not exceeding one hundred and fifty rupees", the words "not exceeding two hundred and fifty rupees" shall be substituted.

3. In Form 7 appended to the said rules,—

(i) in item 24, for the words "sub-rule", the words "sub-rules" shall be substituted;

(ii) in item 26, in clause (a) of sub-item (ii) for the word "of", the word "or", shall be substituted.

[No. 31(4)-Pen/80]

HAZARA SINGH, Under Secy.

नई दिल्ली, 24 अप्रैल, 1981

क्रा० प्रा० 1351.—दण्ड प्रक्रिया संहिता 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतद्वारा हैदराबाद स्थित विशेष पुलिस स्थापना के मामलों के विशेष न्यायाधीश के न्यायालय में श्री प्रहलाद सिंह, भूतपूर्व पुलिस उप महानिरीक्षक, आंध्र प्रदेश के विरुद्ध दिल्ली विशेष पुलिस स्थापना नियमित मामला संख्या 9/67-सी० आई० ए०-II में अभियोजन का संचालन करने के लिए, श्री डी० मर्यानागयण, अधिवक्ता को, विशेष लोक अभियोजक नियुक्त करती है।

[संख्या 225/1/81-ए० सी० डी० (II)]

काली प्रसाद, अधर सचिव

New Delhi, the 24th April, 1981

S.O. 1351.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure 1973 (2 of 1974), the Central Government hereby appoints Shri D. Sathyanarayana, Advocate, Hyderabad, as Special Public Prosecutor for conducting the prosecution of the Delhi Special Police Establishment R.C. No. 9/67/CIA-II, against Shri Prahlad Singh, former Deputy Inspector General of Police, Andhra Pradesh, in the Court of the Special Judge for Special Police Establishment cases, Hyderabad.

[No. 225/1/81-AVD.II]

KALI PRASAD, Under Secy.

विस्त मंत्रालय

(राजस्थान विभाग)

नई दिल्ली, 14 जनवरी, 1981

आय-कर

क्रा० प्रा० 1352.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् भारतीय आयुर्विज्ञान अनुसंधान परिषद्, नई दिल्ली ने निम्नलिखित संस्था को आय-कर नियम, 1962 के नियम 6 (ii) के साथ पठित, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए चिकित्सा अनुसंधान के क्षेत्र में "वैज्ञानिक अनुसंधान संगम" प्रवर्ग के अधीन, निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- (i) यह कि संगम वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का पृथक लेखा रखेगा।
- (ii) यह कि संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी परिषद् को प्रति वर्ष 31 मई तक ऐसे प्रारूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सुचित किया जाए।
- (iii) यह कि संगम प्रत्येक वर्ष के लिए लेखाओं का वार्षिक संपरीक्षित विवरण परिषद् को भेजेगा और इसके अनतिरिक्त इसकी एक प्रति सम्बद्ध आय-कर आयुक्त को भेजेगा।

संस्था

भारतीय शल्य चिकित्सा पणम का आयुर्विज्ञान शिक्षा और अनुसंधान प्रतिष्ठान, मद्रास।

यह अधिसूचना 27-12-1980 से 26-12-1983 तक 3 वर्ष की अवधि के लिए प्रभावी है।

[सं० 3792/क्रा० सं० 203/1/81-आई टी ए II]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 14th January, 1981

INCOME TAX

S.O. 1352.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 (ii) of the Income-tax Rules, 1962 under the category of "scientific research association" in the field of Medical Research subject to the following conditions :—

- (i) That the Association will maintain a separate account of the sums received by it for medical research.
- (ii) That the Association will furnish annual returns of its scientific research activities to the Council by 31st May, each year at the latest in such form as may be laid down and intimated to them for this purpose.
- (iii) That the Association will furnish an annual audited statement of accounts to the Council for each year and in addition send a copy of it to the concerned Income-tax-Commissioner.

INSTITUTION

Medical Education and research Foundation of the Association of Surgeons of India, Madras.

The notification is effective for a period of 3 years with effect from 27-12-1980 to 26-12-1983.

[No. 3792/F. No. 203/1/81-ITA.II]

नई दिल्ली, 16 जनवरी, 1981

आय-कर

क्रा० प्रा० 1353.—इस विभाग की अधिसूचना सं० 2572 (क्रा० सं० 203/159/78-आई टी ए-II) तारीख 23-11-78 के अनुक्रम में, सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् भारतीय आयुर्विज्ञान अनुसंधान परिषद्, नई दिल्ली ने निम्नलिखित संस्था को आय-कर नियम, 1962 के नियम 6(ii) के साथ पठित, आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए चिकित्सा अनुसंधान के क्षेत्र में "वैज्ञानिक अनुसंधान संगम" प्रवर्ग के अधीन, निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- (i) यह कि संगम, चिकित्सा अनुसंधान के लिए प्राप्त राशिया का पृथक लेखा रखेगा।
- (ii) यह कि उक्त संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी परिषद् को प्रति वर्ष 31 मई तक ऐसे प्रारूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सुचित किया जाए।
- (iii) यह कि उक्त संगम लेखाओं का वार्षिक संपरीक्षित विवरण परिषद् को प्रति वर्ष 31 मई तक भेजेगा और इसके अनतिरिक्त इसकी एक प्रति सम्बद्ध आय-कर आयुक्त को भेजेगा।

संस्था

श्री मुन्साम्जी बेंकटराभनाम्मा मैमोरियल अस्पताल और अनुसंधान केन्द्र, तामिळु यह अधिसूचना 30-11-1980 से 29-11-1982 तक 2 वर्ष की अवधि के लिए प्रभावी है।

[सं० 3794/क्रा० सं० 203/291/80-आई टी ए-II]

New Delhi, the 16th January, 1981

INCOME TAX

S.O. 1353.—In continuation of this Department's notification No. 2592 (F. No. 203/159/78 ITA.II) dated 23-11-1978, it is hereby notified for general information

that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 (ii) of the Income-tax Rules, 1962 under the category of "scientific research association" in the field of Medical Research subject to the following conditions :—

- (i) That the Association will maintain a separate account of the sums received by it for medical research.
- (ii) That the Association will furnish annual returns of its scientific research activities to the Council by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.
- (iii) That the Association will furnish an annual audited statement of accounts to the Council by 31st May, each year and in addition send a copy of it to the concerned Income-tax Commissioner.

INSTITUTION

Sree Mullapudi Venkataramanamma Memorial Hospital and Research Centre, Tanuku.

The notification is effective for a period of 2 years from 30-11-1980 to 29-11-1982.

[No. 3794/F. No. 203/291/80-ITA-II]

का० आ० 1354.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् भारतीय समाज विज्ञान अनुसंधान परिषद् ने निम्नलिखित संस्था को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के प्रयोजनों के लिए निम्नलिखित शर्तों पर अनुमोदित किया है :—

- (i) यह कि राष्ट्रीय लोक वित्त और नीति संस्थान, नई दिल्ली द्वारा इस छूट के अधीन संग्रहीत निधियों का उपयोग अनन्य रूप से समाज विज्ञान के अनुसंधान की उन्नति के लिए ही किया जाएगा,
- (ii) यह कि राष्ट्रीय लोक वित्त और नीति संस्थान, नई दिल्ली इस छूट के अधीन संग्रह की गई निधियों का पृथक लेखा रखेगा, और
- (iii) यह कि राष्ट्रीय लोक वित्त और नीति संस्थान, नई दिल्ली छूट के अधीन संग्रह की गई निधियों का और वह रीति जिसमें उनका उपयोग किया गया है, दर्शन करने हुए एक वार्षिक रिपोर्ट और लेखाओं का विवरण भारतीय समाज विज्ञान अनुसंधान परिषद् की और उसका एक प्रति सम्बन्ध आयकर आयुक्त को नियमित रूप से भेजेगा।

संस्था

राष्ट्रीय लोक वित्त और नीति संस्थान, नई दिल्ली।

यह अधिसूचना 1-4-1980 से 31-3-83 तक प्रभावी है।

[नं० 3795/का० सं० 203/6/80-आई टी ए-11]

S.O. 1354.—It is hereby notified for general information that the institution mentioned below has been approved by the Indian Council of Social Science Research the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 : subject to the following conditions :—

- (1) The funds collected by the National Institute of Public Finance and Policy, New Delhi under this exemption shall be utilised, exclusively for promotion of research in Social Science.
- (2) That the National Institute of Public Finance & Policy shall maintain separate accounts of the funds collected by them under the exemption, and
- (3) That the National Institute of Public Finance & Policy shall send an Annual Report & Statement of Accounts regularly to the I.C.S.S.R. as well as to the concerned Commissioner of Income tax

showing the funds collected under this exemption and the manner in which these funds are utilized.

INSTITUTION

The National Institute of Public Finance and Policy, New Delhi.

This notification is effective from 1-4-1980 to 31-3-1983.

[No. 3795/F. No. 203/6/80-ITA-II]

का० आ० 1355.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात्, सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर अधिनियम, 1961 के नियम 6(iv) के साथ पठित, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अल्प प्राकृतिक और अनुप्रयुक्त विज्ञान के क्षेत्र में "संगम" प्रयोग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- (i) यह कि असम विज्ञान सोसाइटी, गोहाटी कृषि/पशुपालन/मत्स्यकी और औषधि से निम्न प्राकृतिक और अनुप्रयुक्त विज्ञान के क्षेत्र में वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का पृथक लेखा रखेगी।
- (ii) यह कि उक्त संगम प्रत्येक वित्तीय वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की एक वार्षिक विवरणी विहित प्राधिकारी को प्रति वर्ष 30 अप्रैल तक ऐसे प्रहणों में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकतम किए जाएं और उमे सूचित किए जाएं।
- (iii) यह कि उक्त संगम प्रत्येक वर्ष के लिए वार्षिक विवरणी और लेखाओं का विवरण आयकर आयुक्त, गोहाटी को भेजेगा।

संस्था

असम विज्ञान सोसाटी, गोहाटी

यह अधिसूचना 7-12-1980 से 6-12-1983 तक 3 वर्ष की अवधि के लिए प्रवृत्त होगी।

[नं० 3796/का० सं० 203/173/80-आई टी ए-II]

S.O. 1355.—It is hereby notified for general information that the institution mentioned below has been approved by the Secretary, Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, read with Rule 6 (iv) of the Income-tax Rules 1962 under the category "Association" in the area of other natural and applied sciences, subject to the following conditions :—

- (i) That the Assam Science Society, Gauhati, will maintain a separate account of sums received by it for scientific research in the field of natural and applied sciences other than agriculture/animal husbandry/fisheries and medicines.
- (ii) That the said Association will furnish Annual Return of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April, each year.
- (iii) That the said Association will submit the annual return and statement of Accounts to the Commissioner of Income-tax Gauhati for every year.

INSTITUTION

Assam Science Society, Gauhati.

This notification is effective for a period of 3 years from 7-12-1980 to 6-12-1983.

[No. 3796/F. No. 203/173/80-ITA-II]

फा० अ० 1356—इस विभाग की अधिसूचना सं० 2670 (फा० सं० 203/200A/78 आई० टी० ए०-II) तारीख 19-1-79 के अनुक्रम में, सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारियों, अर्थात्, भारतीय आयुर्विज्ञान अनुसंधान परिषद्, नई दिल्ली ने निम्नलिखित संस्था को आय-कर नियम, 1962 के नियम 6(ii) के साथ पठित, आय-कर अधिनियम, 1963 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए, चिकित्सा अनुसंधान के क्षेत्र में "वैज्ञानिक अनुसंधान संगम" प्रयोगों के अधीन, निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- (i) यह कि प्रतिष्ठान, चिकित्सा अनुसंधान के लिए, प्राप्त राशियों का पृथक् लेखा रखेगा।
- (ii) यह कि प्रतिष्ठान अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी परिषद् को प्रति वर्ष 31 मई तक ऐसे प्रारूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए, अधिकाधिक किए जाएं और उसे सूचित किया जाए।
- (iii) यह कि उक्त प्रतिष्ठान प्रत्येक वर्ष के लिए, लेखाओं का वार्षिक संपरीक्षण विवरण परिषद् का प्रति वर्ष 31 मई तक भेजेगा और इसके प्रतिनिधित्व हमकी एक प्रति सम्बन्ध आय-कर आयुक्त को भेजेगा।

संस्था

राष्ट्रीय वृक्षक प्रतिष्ठान (भारत), मुम्बई

यह अधिसूचना 4-12-1980 से 3-12-1982 तक 2 वर्ष की अवधि के लिए प्रभावी है।

[सं० 3797/फा० सं० 203/299/80-आई० टी० ए०-II]

S.O. 1356.—In continuation of this Department's notification No. 2670 (F. No. 203/200A/78.ITA.II), dated 19-1-1979, it is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 (ii) of the Income-tax Rules, 1962 under the category of "scientific research association" in the file of Medical Research subject to the following conditions :—

- (i) That the foundation will maintain a separate account of the sums received by it for medical research.
- (ii) That foundation will furnish annual return of its scientific research activities to the Council by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.
- (iii) That the Foundation will furnish a copy of the annual audited statement of accounts to the Council by 31st May, each year and in addition send a copy of it to the concerned Income-tax Commissioner.

INSTITUTION

The National Kidney Foundation (India), Bombay.

The notification is effective for a period of 2 years from 4-12-1980 to 3-12-1982.

[No. 3797/F. No. 203/299/80-ITA-II]

नई दिल्ली, 20 जनवरी, 1981

आयकर

फा० अ० 1357.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि भारतीय कृषि अनुसंधान परिषद्, नई दिल्ली ने निम्नलिखित

वैज्ञानिक अनुसंधान परियोजनाओं की आयकर अधिनियम, 1961 की धारा 35 की उपधारा (2-क) के प्रयोजनों के लिए, नीचे विनिर्दिष्ट अवधि के लिए अनुमोदित किया है :

1. वैज्ञानिक अनुसंधान परियोजना : (i) सुष्क क्षेत्र की भारी बंजर भूमि में चारा-फसलों और जरागाहों के प्रबंध पर अध्ययन (बहु-उद्देशीय अपराम्परागत फसलों को विशेष महत्व देने हुए)
- (ii) प्रत्युष्क क्षेत्रों से अपराम्परागत चारा और फसलों के मूल्योपान पर अध्ययन
2. प्रयोजक : मकतवास इंडस्ट्रीज, लिमिटेड मुम्बई और 17 अन्य कम्पनियाँ।
3. प्रायोजन-स्थान : भारतीय कृषि उद्योगप्रतिष्ठान, उरुली कंचन पुणे।
4. अनुसंधान परियोजना की अवधि : 1 अक्टूबर, 1980 से पांच वर्ष
5. प्राक्कलित व्यय : 1,28,45,300 रु०

2 भारतीय कृषि उद्योग प्रतिष्ठान, उरुली कंचन, जिला पुणे अधिसूचना सं० 88 (फा० सं० 11/15/69-आई० टी० ए०-II) तारीख 23-1-1971 द्वारा आयकर अधिनियम 1961 की धारा 35(1)(2) के अधीन अनुमोदित है।

[सं० 3810/फा० सं० 203/231/80-आई० टी० ए०-II]

New Delhi, the 20th January, 1981.

INCOME-TAX

S.O.1357.—It is hereby notified for general information that the following research projects have been approved for the period specified below for the purposes of sub-section (2A) of Section 35 of the Income-tax Act, 1961, by the Indian Council of Agricultural Research, New Delhi:—

1. Scientific Research Project (i) Studies on the Management of Fodder Crops and grass-lands in the saline Wastelands of the arid region (with emphasis on multipurpose non-conventional crops.)
(ii) Studies on evaluation on non-conventional forages and feeds from semiarid regions.
2. Sponsored (a) by Mahatma Industries Limited Bombay & 17 other Companies.
3. Sponsored (b) at : Bhartiya Agro-Industries Foundation, Urli Kanchan, Pune.
4. Duration of Research Project: 5 years with effect from 1st October, 1980.
5. Estimated Expenditure : Rs. 1,28,45,300.

2. Bhartiya Krishi Udyog Pratishthan (Bhartiya Agro-Industries Foundation) Urli Kanchan, District Peera stands approved under Section 35 (1) (ii) of the I.T. Act, 1961 vide Notification No. 88 (F. No. 11/15/69-ITA-II) dated 23-3-1971.

[No. 3810/F. No. 203/231/80-ITA-II]

सर्ग दिल्ली, 4 फरवरी, 1981

आय-कर

का० आ० 1358.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् भारतीय आयुर्विज्ञान अनुसंधान परिषद् नई दिल्ली ने नीचे उल्लिखित संस्था को आय-कर नियम, 1962 के नियम 6(2) के साथ पठित, अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (2) के प्रयोजनों के लिए आयुर्विज्ञान अनुसंधान के क्षेत्र में "वैज्ञानिक अनुसंधान संगम" वर्ग के अधीन निम्न लिखित शर्तों पर अनुमोदित किया है :—

- (1) यह कि सोसाइटी आयुर्विज्ञान अनुसंधान के लिए प्राप्त राशियों का पृथक लेखा रखेगी।
- (2) यह कि सोसाइटी अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी परिषद् को प्रति वर्ष 31 मई तक ऐसे प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकाधिक किया जाए और उसे सूचित किया जाए।
- (3) यह कि सोसाइटी लेखाओं का वार्षिक संवरीक्षित विवरण परिषद् को प्रतिवर्ष 31 मई तक भेजेगी और इसके अनिवार्य इसकी एक प्रति संबंध आय-कर आयुक्त को भेजेगी।

संस्था

बेल्लेव्यू क्लिनिक कलकत्ता

यह अधिसूचना 6-1-1981 से 5-1-1984 तक 3 वर्ष की अवधि के लिए प्रभावी है।

[सं० 3831/का० सं० 203/7/81-आई० टी० ए० 2]

New Delhi, the 4th February, 1981

INCOME TAX

S.O. 1358.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6(ii) of the Income-tax Rules, 1962 under the category of "scientific research association" in the field of Medical Research subject to the following conditions :—

- (i) That the Society will maintain a separate account of the sums received by it for medical research.
- (ii) That the Society will furnish annual returns of its scientific research activities to the Council by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.
- (iii) That the Society will furnish an annual audited statement of accounts to the Council by 31st May each year and in addition send a copy of it to the concerned Income-tax Commissioner.

INSTITUTION

Belle Vue Clinic Calcutta.

The notification is effective for a period of 3 years from 6-1-1981 to 5-1-1984.

[No. 3831/F. No. 203/7/81-ITA-II]

नई दिल्ली, 5 फरवरी, 1981

आय-कर

का० आ० 1359.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् भारतीय आयुर्विज्ञान अनुसंधान परिषद्, नई दिल्ली ने नीचे उल्लिखित संस्था को आय-कर नियम, 1962 के नियम 6(2) के साथ पठित, आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (2) के प्रयोजनों के लिए

आयुर्विज्ञान अनुसंधान के क्षेत्र में "वैज्ञानिक अनुसंधान संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है :—

- (1) यह कि सोसाइटी आयुर्विज्ञान अनुसंधान के क्षेत्र में वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का पृथक लेखा रखेगी।
- (2) यह कि सोसाइटी प्रत्येक वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी परिषद् को प्रति वर्ष 31 मई तक ऐसे प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकाधिक किया जाए और उसे सूचित किया जाए।
- (3) यह कि सोसाइटी प्रत्येक वर्ष के लिए लेखाओं का वार्षिक संवरीक्षित विवरण परिषद् को प्रतिवर्ष 31 मई तक भेजेगी और इसके अनिवार्य इसकी एक प्रति संबंध आय-कर आयुक्त को भेजेगी।

संस्था

गुजरात अनुसंधान सोसाइटी, मुम्बई

यह अधिसूचना 27-12-1980 से 26-12-1983 तक 3 वर्ष की अवधि के लिए प्रभावी है।

[सं० 3833/का० सं० 203/9/81-आई० टी० ए० 2]

New Delhi, the 5th February, 1981

INCOME TAX

S.O. 1359.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 (ii) of the Income-tax Rules, 1962 under the category of "scientific research association" in the field of Medical Research subject to the following conditions :—

- (i) That the Society will maintain a separate account of the Sums received by it for scientific research in the field of medical research.
- (ii) That the Society will furnish annual returns of its scientific research activities to the Council for each year by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.
- (iii) That the Society will furnish an annual audited statement of accounts to the Council for each year by 31st May, each year and in addition send a copy of it to the concerned Income-tax Commissioner.

INSTITUTION

GUJARAT RESEARCH SOCIETY, BOMBAY

The notification is effective for a period of 3 years from 27-12-1980 to 26-12-1983.

[No. 3833/F. No. 203/9/81-ITA.II]

का० आ० 1360.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि भारतीय चिकित्सा अनुसंधान परिषद्, नई दिल्ली ने निम्नलिखित वैज्ञानिक अनुसंधान कार्यक्रम को, आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (2-क) के प्रयोजनों के लिए, नीचे विनिर्दिष्ट अवधि के लिए अनुमोदित किया है।

1. वैज्ञानिक अनुसंधान परियोजना : "बालकों में एधिरॉसफलोरोसिस के पूर्ववर्तियों का अध्ययन"

2. प्रायोजन - व्यय

डॉ० हरकिशन दास मरोन्स दास
हार्मिडल मेडिकल रिसर्च सोसाइटी
मुम्बई

3. प्रायोजक :	1. श्री सी० यू० शाह 2. श्री मानेक लाल वासा 3. श्री ईश्वर लाल गांधी ग्रन्थ द्वारा व्याका लैब
4. परियोजना की अवधि	तीन वर्ष
(1) आरंभ होने की प्रस्तावित तारीख:	19 दिसम्बर, 1980
(2) समाप्त होने की संभावित तारीख:	18 दिसम्बर, 1983
5. प्राक्कलित व्यय :	(1) उपस्कार 2,70,000 रु० (2) कर्मचारिवृत्त 5,84,640 रु० (3) अन्य मदें :— आफिसिकलाएँ, लेखन सामग्री मुद्रण आदि 1,35,000 रु०
योग	9,89,640

(केवल नौ लाख नवासी हजार छह सौ चालीस रुपए)
उपर्युक्त परियोजना का अनुमोदन निम्नलिखित शर्तों पर किया
गया है, अर्थात् :—

- (1) यह कि सोमाहटी इस अनुसंधान परियोजना के लिए प्राप्त राशियों का और उपगत व्ययों का मद एच० एन० हस्पिटल मेडिकल रिसर्च सोमाहटी के अन्य व्ययों से सुविन्न हिसाब पृथक् रूप से रखेगी।
- (2) यह कि सोमाहटी प्रत्येक वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी परिषद् की प्रति वर्ष 31 मई तक ऐसे प्रारूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकांशतः किए जाएंगे और उसे सुविन्न किए जाएंगे।
- (3) यह कि सोमाहटी प्रत्येक वर्ष के लिए लेखाओं का वार्षिक संपरीक्षित विवरण परिषद् को प्रति वर्ष 3 मई तक भेजेगी और इसके अतिरिक्त इसकी एक प्रति सम्बद्ध आय-कर आयुक्त को भेजेगी।

भर हुरकिसन दास नुरतुम दास हस्पिटल मेडिकल रिसर्च सोमाहटी
दिल्ली मंत्रालय, राजस्व विभाग की अधिसूचना सं० 560 (फा० सं०
203/67/73-आई० टी० ए० II) तारीख 15 फरवरी, 1974 द्वारा
आयकर अधिनियम, की धारा 35(1)(2) के अधीन अनुमोदित है।

[सं० 3834/फा० सं० 203/271/80-आई० टी० ए०-II]

S.O.1360.—It is hereby notified for general information that the following scientific research programme has been approved for the period specified below for the purposes of sub section 2(A) of section 35 of the Income tax Act, 1961 by the Indian Council of Medical Research New Delhi:—

1. Name of the scientific Research Programme : "Study of precursors of Atherosclerosis in Children".
2. Sponsored at : Sir Hurkisendas Nurrotumdas Hospital Medical Research Society, Bombay.
3. Sponsored by : 1. Shri C.U. Shah.
2. Shri Maneklal Vasa
3. Shri Ishwarlal Gandhi and others C/o Lyka Lab.

4. Duration of project :	Three years.
(i) Proposed date of commencement :	19th December, 1980.
(ii) Anticipated date of completion :	18th December, 1983
5. Estimated expenditure :	(i) Equipment : Rs. 2,70,000 (ii) Staff : Rs. 5,84,640. (iii) Other items : Contingencies, Stationery, Printing etc Rs. 1,35,000

Total Rs. 9,89,640

(Rs. Nine lakhs eighty nine thousand six hundred and forty only).

The approval for the above project will be subject to the following conditions:—

1. That the Society will maintain a separate account of the amounts received and expenditure incurred for this research project as distinct from the other expenditure of the Sir. H.N. Hospital Medical Research Society, Bombay.
2. That the Society will furnish annual returns of this scientific research project to the Council by 31st May, each year at the latest in such form as may be laid down and intimated to them for this purpose.
3. That the Society will furnish a copy of the annual audited statement of account to the Council by 31st May, each year and in addition to send a copy of it to the concerned Income-tax Commissioner.

The Sir Hurkisendas Nurrotum das Hospital Medical Research Society has been approved under Section 35 (I) (ii) of the Income Tax vide Ministry of Finance, Department of Revenue Notification No. 560 (F. No. 203/67/73-ITA. II) dated 15th February, 1974.

[No. 3834/F. No. 203/271/80-ITA. II]

फा० आ० 1361.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित वैज्ञानिक अनुसंधान कार्यक्रम को आय-कर नियम, 1962 के नियम, 6(क) के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (2-क) के प्रयोजनों के लिए, नीचे विनिर्दिष्ट अवधि के लिए अनुमोदित किया है।

वैज्ञानिक/अनुसंधान कार्यक्रम का नाम : (1) ओषधि और मध्यवर्ती क्लोरी-
स्फेमिफाल में नए अनुसंधान
(2) नार्गेस्ट्रल की निमित्त के लिए प्रक्रिया

प्रायोजक का नाम : श्री० रेकट एंड कोलमैन आफ
इंडिया लि०, कलकत्ता

कार्यान्वयन प्रयोगशाला : भारतीय विज्ञान संस्थान, बंगलौर
आरम्भ होने की प्रस्तावित तारीख : 1-5-1980
पूर्ण होने की संभावित तारीख : 30-4-1982

प्राक्कलित व्यय : (1) परियोजना सं० 1 : 66,000 रु०
(2) परियोजना सं० 2 : 54,000 रु०

2 भारतीय विज्ञान संस्थान, बंगलौर भूतपूर्व विभाग की अधिसूचना सं० 34 तारीख 23-11-1946 द्वारा आयकर अधिनियम, 1922 की धारा 10(2) (13) के अधीन अनुमोदित है।

[सं० 3835/फा० सं० 203/6/81-आई० टी० ए०-2]

S O 1361 —It is hereby notified for general information that the following scientific research programme has been approved for the period specified below for the purpose of sub-section (2A) of Section 35 of the Income-tax Act, 1961 read with Rule 6(A) of the Income-tax Rules, 1962 by the Secretary Department of Science & Technology, New Delhi

Name of the scientific research programme	(1) New approaches to drugs and intermediate-Chloramphenicol (2) Process for the preparation of Norgestrel
Name of the Sponsor	M/s. Reckitt & Colman of India Ltd., Calcutta
Conducting Laboratory	Indian Institute of Science, Bangalore.
Proposed date of commencement	1-5-1980
Anticipated date of completion	30-4-1982
Estimated outlay	(1) Project No. 1 : Rs 66,000 (2) Project No. 2 : Rs 54,000.

2 Indian Institute of Science, Bangalore stands approved under Section 10(2) (xiii) of the Income-tax Act, 1922 vide late Department's Notification No. 34 dated 23-11-1946

[No 3835/F. No. 203/6/81—ITA-II]

नई दिल्ली 9 फरवरी, 1981

आय-कर

क्र० आ० 1362 —सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् भारतीय समाज विज्ञान अनुसंधान परिषद् ने निम्नलिखित सस्या को, आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (3) के प्रयोजनों के लिए निम्नलिखित शर्तों पर अनुमोदित किया है :—

- (1) यह कि इस छूट के अधीन भारतीय राष्ट्रीय थियेटर, मुम्बई द्वारा सग्रह की गई निधि का उपयोग अनन्यतः समाज विज्ञान में अनुसंधान की प्रवृत्ति के लिए किया जाएगा।
- (2) यह कि भारतीय राष्ट्रीय थियेटर छूट के अधीन उनके द्वारा सग्रह की गई निधि का पृथक् का लेखा रखेगा।
- (3) यह कि भारतीय राष्ट्रीय थियेटर वार्षिक रिपोर्ट और इस छूट के अधीन सग्रह की गई निधियों के और उस रीति को जिसमें उन निधियों का उपयोग किया जाता है दर्शित करते हुए लेखाओं का विवरण निम्नलिखित रूप से भा० सं० वि० प्र० घ० कोषों में माथ की माथ संबंध आय-कर आयुक्त को भेजेगा।

संस्था

भारतीय राष्ट्रीय थियेटर मुम्बई

यह अधिसूचना 1-5-1980 से 31-3-1983 तक तीन वर्ष की अवधि के लिए प्रभावी है।

[स० 3838/फा० सं० 203/282/80-आई० टी० ए० 2]

New Delhi, the 9th February, 1981

INCOME TAX

S O. 1362 —It is hereby notified for general information that the institution mentioned below has been approved by the Indian Council of Social Science Research the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, subject to the following conditions :—

(i) That the funds collected by the Indian National Theatre, Bombay under this exemption shall be utilised, exclusively for promotion of research in Social Science.

(ii) That the Indian National Theatre, shall maintain separate accounts of the funds collected by them under the exemption, and

(iii) That the Indian National Theatre shall send an Annual Report and Statement of Accounts regularly to the ICSR as well as to the concerned Commissioner of Income-tax showing the funds collected under this exemption and the manner in which these funds are utilized.

INSTITUTION

INDIAN NATIONAL THEATRE, BOMBAY

The Notification is effective for a period of 3 years with effect from 1-4-1980 to 31-3-1983

[No 3838/F No. 203/282/80-ITA II]

क्र० आ० 1363 —इस विभाग की अधिसूचना सं० 2468 (फा० सं० 203/94/78-आई० टी० ए० 2) तारीख 11-8-1979 के अनुक्रम में, सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् भारतीय सामाजिक विज्ञान अनुसंधान परिषद् नई दिल्ली ने निम्नलिखित सस्या को आय-कर नियम 1962 6(ii) के साथ पठित, आय-कर अधिनियम 1961 की धारा 35 उपधारा (1) के खंड (ii) के प्रयोजनों के लिए चिकित्सा अनुसंधान के क्षेत्र में "वैज्ञानिक अनुसंधान संगम" प्रबन्ध के अधीन, निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- (1) यह कि संगम, चिकित्सा अनुसंधान के क्षेत्र में वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का पृथक् लेखा रखेगा।
- (2) यह कि संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी परिवर्त को प्रति वर्ष 31 मई तक ऐसे प्रश्नों से प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिसूचित किए जाए और उसे सूचित किए जाए।
- (3) यह कि संगम लेखाओं का वार्षिक संशोधित विवरण को प्रति वर्ष 31 मई तक भेजेगा और इसके अनिवार्य रूप से प्रति संबंध आय-कर को भेजेगा।

संस्था

भारतीय कोशिका विज्ञानी अकादमी, मुम्बई

यह अधिसूचना 20-6-1980 से 19-6-1982 तक 2 वर्ष की अवधि के लिए प्रभावी है।

[स० 3839/फा० सं० 203/14/81-आई० टी० ए० 2]

S.O. 1363 —In continuation of this Department's notification No. 2468 (F No 203/94/78-ITA.II) dated 11-8-1979, it is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6(ii) of the Income-tax Rules, 1962 under the category of "scientific research association" in the field of Medical Research subject to the following conditions :—

(i) That the Association will maintain a separate account of the sums received by it for medical research.

(ii) That the Association will furnish annual returns of its scientific research activities to the Council by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.

- (iii) That the Association will furnish an annual audited statement of accounts to the Council by 31st May each year and in addition send a copy of it to the concerned Income-tax Commissioner.

INSTITUTION

Indian Academy of Cytologists, Bombay.

The notification is effective for a period of 2 years from 20-6-1980 to 19-6-1982.

[No. 3839/F. No. 203/14/81-ITA.II]

नई दिल्ली, 19 फरवरी, 1981

आयकर

का० आ० 1364 :—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि भारतीय कृषि अनुसंधान परिषद्, नई दिल्ली ने निम्नलिखित वैज्ञानिक अनुसंधान कार्यक्रम को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (2-क) के प्रयोजनों के लिए, नीचे विनिर्दिष्ट अवधि के लिए अनुमोदित किया है।

- 1 वैज्ञानिक अनुसंधान परियोजना : कपास और मिर्चों पर स्पेडोटेरा (प्रोसीनिया) लिटुरा का समाकलित नियंत्रण।
2. प्रायोजक (क) : हिन्दुस्तान लीवर लिमिटेड, मुम्बई 1,
3. प्रायोजक स्थल (ख) : तमिलनाडु कृषि विश्वविद्यालय (कोयम्बटूर)
4. अनुसंधान परियोजना कालावधि : 1 दिसम्बर, 1980 से 3 (तीन) वर्ष
5. प्राक्कलित व्यय : 77,400 रु०

(2) तमिलनाडु कृषि विश्वविद्यालय कोयम्बटूर आयकर अधिनियम, 1961 की धारा 35 (i) (ii) के अधीन अधिसूचना सं० 1434 का० सं० 203/97/76-आई० टी० ए०-2, तारीख 6-8-76 द्वारा अनुमोदित है।

[सं० 3868/का० सं० 203/142/80-आई० टी० ए०-II]

New Delhi, the 19th February, 1981

INCOME-TAX

S.O. 1364.- It is hereby notified for general information that the following scientific research programme has been approved for the period specified below for the purposes of sub-section (2A) of Section 35 of the Income-tax Act, 1961 by the Indian Council of Agricultural Research, New Delhi.

1. Scientific Research Project : Integrated Control of Spodoptera (prodenia) Litura on Cotton and Chillies.
2. Sponsored (a) by : Hindustan Lever Limited, Bombay.
3. Sponsored (b) at : Tamil Nadu Agricultural University, (Coimbatore).
4. Duration of Research Project : 3 (Three) years with effect from 1st December, 1980.
5. Estimated expenditure Rs. 77,400.

(2) Tamil Nadu Agricultural University, Coimbatore stands approved under Section 35 (1) (ii) of the Income-tax Act, 1961 by Notification No. 1434 F. No. 203/97/76-ITA. II dated 6-8-76.

[No. 3868/F. No. 203/142/80-ITA.II]

का० आ० 1365 :—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् भारतीय प्रायुर्विज्ञान अनुसंधान परिषद्, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम,

1962 के नियम 6(ii) के साथ पठित, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (2) के प्रयोजनों के लिए प्रायुर्विज्ञान अनुसंधान के क्षेत्र में "वैज्ञानिक अनुसंधान संगम" प्रवर्ग के अधीन, निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्—

- (i) यह कि सोसाइटी चिकित्सा अनुसंधान के लिए प्राप्त राशियों का पृथक लेखा रखेगी।
- (ii) यह कि उक्त सोसाइटी प्रत्येक वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी परिषद् को प्रति वर्ष 31 मई तक ऐसे प्रारूप में प्रस्तुत करेगी जो उस प्रयोजन के लिए अधिकृत किया जाए और उसे मूलित किया जाए।
- (iii) यह कि उक्त सोसाइटी प्रत्येक वर्ष के लिए लेखाओं का वार्षिक संपरीक्षित विवरण परिषद् को प्रति वर्ष 31 मई तक भेजेगी और इसके अनतिरिक्त इसकी एक प्रति संवत् आयकर आयुक्त को भेजेगी।

संस्था

Salem Institute of Experimental Biology, Salem

यह अधिसूचना 3-1-1981 से 2-1-1984 तक 3 वर्ष की अवधि के लिए प्रभावी है।

[सं० 3869/का० सं० 203/8/81-आई० टी० ए०-II]

S.O. 1365.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 (ii) of the Income-tax Rules, 1962 under the category of "scientific research association" in the field of Medical Research subject to the following conditions:—

- (i) That the Society will maintain a separate account of the sums received by it for medical research.
- (ii) That the Society will furnish annual returns of its scientific research activities to the Council by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.
- (iii) That the Society will furnish a copy of the annual audited statement of accounts to the Council for each year by 31st May each year and in addition send a copy of it to the concerned Income-tax Commissioner.

INSTITUTION

Salem Institute of Experimental Biology, Salem.

The notification is effective for a period of 3 years from 3-1-1981 to 2-1-1984.

[No. 3869/F. No. 203/8/81-ITA.II]

का० आ० 1366 :—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् नविव, विज्ञान और औद्योगिक विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6(vi) के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक और अनुप्रयुक्त विज्ञान के क्षेत्र में "संस्था" प्रवर्ग के अधीन, निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्—

- (i) यह कि आर्थिक शंकर अर्थात् अनुसंधान केन्द्र मद्रास कृषि/पशुपालन मातृशाला और औषधि से भिन्न प्राकृतिक और अनुप्रयुक्त विज्ञान के क्षेत्र में वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का पृथक लेखा रखेगी।

(ii) यह कि उक्त केंद्र प्रत्येक वित्तीय वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी किया कमापों की वार्षिक विवरणी विहित प्राधिकारी को प्रति वर्ष 30 अप्रैल तक ऐसे प्रकृति में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिक्थित किए जाए और उसे सूचित किए जाए।

(iii) यह कि उक्त केंद्र प्रत्येक वर्ष के लिए वार्षिक विवरणी और लेखाओं का विवरण प्रति वर्ष आय-कर आयुक्त को भेजेगा।

संस्था

आदि शंकरा अद्वैत अनुसंधान केंद्र, मद्रास

यह अधिसूचना 1-1-1981 से 31-3-1981 तक तीन मास की अवधि के लिए प्रभावी है।

[सं० 3870/फा० सं० 203/3/80-आई० टी० ए०-II]

S.O. 1366.—It is hereby notified for general information that the institution mentioned below has been approved by the Secretary, Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, read with Rule 6(vi) of the Income-tax Rules, 1962 under the category 'Institution' in the area of other natural and applied science, subject to the following conditions:—

- (i) That the Adi Sankara Advaita Research Centre, Madras will maintain a separate account of sums received by it for scientific research in the field of natural and applied sciences other than agriculture/animal husbandry/fisheries and medicines.
- (ii) That the said Centre will furnish Annual Return of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April, each year.
- (iii) That the said Centre will submit the annual return and statement of Accounts to the Commissioner of Income-tax, Madras, for every year.

INSTITUTION

Adi Sankara Advaita Research Centre, Madras.

This notification is effective for a period of 3 months from 1-1-1981 to 31-3-1981.

[No. 3870/F. No. 203/3/80-ITA.II]

नई दिल्ली, 24 फरवरी, 1981

आय-कर

का० आ० 1367 :—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् भारतीय समाज विज्ञान अनुसंधान परिषद् ने निम्नलिखित संस्था को आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (iii) के प्रयोजनों के लिए निम्नलिखित शर्तों पर अनुमोदित किया है।

- (i) यह कि भारतीय परम्परा का अध्ययन संस्थान पुणे द्वारा इस कूट के अधीन संग्रहीत निधियों का उपयोग एकमात्र समाज विज्ञान के अनुसंधान की उन्नति के लिए ही किया जाएगा।
- (ii) यह कि संस्थान इस कूट के अधीन संग्रह की गई निधियों का क्रिसाव भण्डार में रखेगा और
- (iii) यह कि संस्थान कूट के अधीन एकत्र की गई निधियों का और यह रीति जिसमें उनका उपयोग किया गया है, दर्शित करत हुए एक वार्षिक रिपोर्ट और मोदीक्षित लेखा विवरण परिषद् को नियमित रूप से भेजेगा।

संस्था

भारतीय परम्परा का अध्ययन संस्थान, पुणे।

यह अधिसूचना 1-1-81 से 31-12-83 तक 3 वर्ष की अवधि के लिए प्रभावी है।

[सं० 3890/फा० सं० 203/188/80-आई० टी० ए०-II]

New Delhi, the 24th February, 1981

INCOME TAX

S.O. 1367.—It is hereby notified for general information that the institution mentioned below has been approved by the Indian Council of Social Science Research the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, subject to the following conditions:—

- (i) That the funds collected by the Institute for the study of Indian Traditions under this exemption shall be utilized exclusively for promotion of research in Social Sciences.
- (ii) That the Institute shall maintain separate accounts of the funds so collected by them under this exemption;
- (iii) That the Institute shall send to the Council Annual Report and Audited Statement of Accounts regularly showing the funds collected under this exemption and the manner in which these funds are utilized.

INSTITUTION

Institute for the Study of Indian Traditions, Pune.

This notification is effective for a period of three years from 1-1-81 to 31-12-83.

[No. 3890/F. No. 203/188/80-ITA.II]

नई दिल्ली, 7 मार्च, 1981

आय-कर

का० आ० 1368 :—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् भारतीय आय विज्ञान अनुसंधान परिषद्, नई दिल्ली ने निम्नलिखित संस्था को आय-कर नियम, 1962 के नियम 6(2) के माध्यम में आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए चिकित्सा अनुसंधान के क्षेत्र में "वैज्ञानिक अनुसंधान संगम" प्रवर्ग के अधीन, निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्:—

- (i) यह कि संगम, चिकित्सा अनुसंधान के लिए पान राजियों का पृथक लेखा रखेगा।
- (ii) यह कि संगम अपने वैज्ञानिक अनुसंधान संबंधी किया कमापों की वार्षिक विवरणी परिषद् का प्रति वर्ष 31 मई तक ऐसे प्रकृति में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिक्थित किया जाए और उसे सूचित किया जाए।
- (iii) यह कि संगम लेखाओं के वार्षिक संपरीक्षित विवरण की एक प्रति परिषद् को प्रति वर्ष 31 मई तक भेजेगा और इसके अनुरिकत इसकी एक प्रति सम्बन्ध आय-कर आयुक्त को भेजेगा।

संस्था

प्राकृतिक चिकित्सा योगी विज्ञान संस्थान, बगनौर

यह अधिसूचना 7-2-1981 से 6-2-1981 तक 2 वर्ष का अवधि के लिए प्रभावी है।

[सं० 3903/फा० सं० 203/21/81-आई० टी० ए०-II]

एम० के० पाण्डेय, उप-सचिव

New Delhi, the 7th March, 1981

INCOME TAX

S.O. 1368.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6(ii) of the Income-tax Rules, 1962 under the category of "scientific research association" in the field of Medical Research subject to the following conditions :—

- (i) That the Association will maintain a separate account of the sums received by it for medical research.
- (ii) That the Association will furnish annual returns of its scientific research activities to the Council by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.
- (iii) That the Association will furnish a copy of the annual audited statement of accounts to the Council by 31st May each year and in addition send a copy of it to the Concerned Commissioner of Income-tax.

INSTITUTION

Institute of Naturopathy Yogic Sciences, Bangalore.

The notification is effective for a period of 2 years from 7-2-1981 to 6-2-1983.

[No. 3903/F. No. 203/21/81-ITA.II]

M. K. PANDEY, Dy. Secy.

(व्यय विभाग)

नई दिल्ली, 23 अप्रैल, 1981

कां० 1369.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेवखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार नीचे की मारणी के स्तम्भ (1) में वर्णित अधिकारियों को, जो सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के प्रयोजन के लिए सम्पदा अधिकारी नियुक्त करती है, जो उक्त मारणी के स्तम्भ (2) में समक्षी प्रविष्टि में विनिर्दिष्ट सरकारी स्थानों की बाबत अपनी अधिकारिता की स्थानीय सीमाओं के भीतर अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को प्रदत्त शक्तियों या प्रयोग और अधिरापित कर्तव्यों का पालन करेंगे :—

सारणी

अधिकारी का पदनाम	सरकारी स्थान के प्रवर्ग और अधिका- रिता की स्थानीय सीमा
1. वरिष्ठ उप महालेखाकार/महा- लेखाकार (प्रशासन) महालेखा- कार का कार्यालय, उड़ीसा, भुवनेश्वर I.	महालेखाकार, उड़ीसा भुवनेश्वर के प्रशासनिक नियंत्रण के अधीन सार्वजनिक परिसर
2. वरिष्ठ उप महालेखाकार/उप महालेखाकार (प्रशासन), महा- लेखाकार-1 का कार्यालय, बिहार राष्ट्र।	महालेखाकार-1, बिहार, राप्ती के प्रशासनिक नियंत्रण के अधीन सार्वजनिक परिसर

एम० के० दाम, अवर सचिव

(Department of Expenditure)

New Delhi, the 23 April, 1981

S.O. 1369.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Officers mentioned in column (1) of the Table below, being gazetted officers of the Government, to be estate officers for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on estate officers, by or under the said Act, within the local limits of their jurisdiction in respect of the public premises specified in the corresponding entry in column (2) of the said Table.

TABLE

Designation of the officer	Categories of public premises and local limits of jurisdiction
1. Senior Deputy Accountant General/Deputy Accountant General (Administration) Office of the Accountant General, Orissa, Bhubaneswar.	Public premises under the administrative control of the Accountant General, Orissa, Bhubaneswar.
2. Senior Deputy Accountant General/Deputy Accountant General (Administration), Office of the Accountant General-I, Bihar, Ranchi.	Public premises under the administrative control of the Accountant General-I, Bihar, Ranchi.

[No. A-11013/1/81-EG-2]

कां० 1370.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेवखली) अधिनियम 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और वित्त मंत्रालय, व्यय विभाग में भारत सरकार की दिनांक 23 दिसम्बर, 1967 की अधिसूचना सं० 8082 का अधि-
क्रमण करते हुए, केन्द्रीय सरकार, नीचे की मारणी के स्तम्भ (1) में वर्णित अधिकारियों को, जो सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के प्रयोजन के लिए, सम्पदा अधिकारी नियुक्त करती है, जो उक्त मारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों की बाबत अपनी अधिकारिता की स्थानीय सीमाओं के भीतर उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग और अधिरापित कर्तव्यों का पालन करेंगे :—

सारणी

अधिकारी का पदनाम	सरकारी स्थानों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएँ
1	2
वरिष्ठ उप महालेखाकार/उप महा- लेखाकार (प्रशासन) महालेखाकार का कार्यालय-II महाराष्ट्र, नागपुर	नागपुर में स्थित महालेखाकार-II, महाराष्ट्र, नागपुर के प्रशासनिक नियंत्रण के अधीन सभी सरकारी स्थान।

[सं० ए-11013/1/81-ई०ओ०-1]

S.O. 1370.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the Notification of the Government of India in the Ministry of Finance, Department of Expenditure No. 8082 dated the 23rd December, 1976, the Central Government hereby appoints the officers mentioned in column (1) of the Table below, being Gazetted Officers of Government, to be estate officers for the purpose of the said Act, who shall exercise the powers conferred, and perform the duties imposed on estate officers by or under the said Act within the local limits of their jurisdiction in respect of the public premises specified in column (2) of the said Table :

TABLE

Designation of the Officer	Categories of public premises and local limits of jurisdiction
(1)	(2)
Senior Deputy Accountant General/ Deputy Accountant General (Administration) Office of the Accountant General-II, Maharashtra, Nagpur.	All public premises under the administrative control of the Accountant General II Maharashtra, Nagpur situated in Nagpur.

[No. A-11013/1/81-EGH]
S.K. DAS, Under Secy.

(आर्थिक कार्य विभाग)

नई दिल्ली, 21 अप्रैल 1981

(बैंकिंग प्रभाग)

क्र० आ० 1371.—राष्ट्रीयकृत बैंक प्रबंध और प्रकीर्ण उपबंध स्कीम, 1970 के खण्ड 8 के उपखण्ड (1) के साथ पठित खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री आर० रघुपति को 24 अप्रैल, 1981 से प्रारम्भ होने वाली और 23 अप्रैल, 1984 को समाप्त होने वाली अवधि के लिए, सिण्डिकेट बैंक के प्रबंध निदेशक के रूप में पुनः नियुक्त करती है।

[संख्या एफ० 9/3/81-बी०ओ०-1(1)]

(Department of Economic Affairs)

New Delhi, the 21st April, 1981

(BANKING DIVISION)

S.O. 1371.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby re-appoints Shri R. Raghupathy as the Managing Director of the Syndicate Bank for a further period commencing on 24th April, 1981 and ending with 23rd April, 1984.

[No. F. 9/3/81-BO.I(1)]

क्र० आ० 1372.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध स्कीम 1970 के खण्ड 7 के साथ पठित खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री आर० रघुपति को, जिन्हें 24 अप्रैल, 1981 से सिण्डिकेट बैंक के प्रबंध निदेशक के रूप में पुनः नियुक्त किया गया है, उसी तारीख से सिण्डिकेट बैंक के निदेशक-बोर्ड के अध्यक्ष के रूप में नियुक्त करती है।

[संख्या एफ० 9/3/81-बी०ओ०-1(2)]

S.O. 1372.—In Pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri R. Raghupathy, who has been re-appointed as Managing Director of Syndicate Bank with effect from 24th April, 1981 to be the Chairman of the Board of Directors of the Syndicate Bank with effect from the same date.

[No. F. 9/3/81-BO.I(2)]

नई दिल्ली, 23 अप्रैल, 1981

क्र० आ० 1373.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध स्कीम, 1970 के खण्ड 8 के उपखण्ड (1) के साथ पठित खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री के० वी० यरकाथिया को एक अप्रैल, 1981 से प्रारम्भ होने वाली और 10 जून 1982 को समाप्त होने वाली अवधि के लिए, इण्डियन ओवरसीज बैंक के प्रबंध निदेशक के रूप में पुनः नियुक्त करती है।

[संख्या एफ० 9/3/81-बी०ओ०-1(1)]

New Delhi, the 23rd April, 1981

S.O. 1373.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby re-appoints Shri K. V. Yerka-dithaya as the Managing Director of the Indian Overseas Bank for a further period commencing on 1st April, 1981 and ending with 10th June, 1982.

[No. F. 9/3/81-BO. I(1)]

क्र० आ० 1374.—राष्ट्रीयकृत बैंक प्रबंध और प्रकीर्ण उपबंध स्कीम, 1970 के खण्ड 7 के साथ पठित खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री के० वी० यरकाथिया को, जिन्हें एक अप्रैल, 1981 से इण्डियन ओवरसीज बैंक के प्रबंध निदेशक के रूप में पुनः नियुक्त किया गया है, उसी तारीख से इण्डियन ओवरसीज बैंक के निदेशक बोर्ड के अध्यक्ष के रूप में नियुक्त करती है।

[संख्या एफ० 9/3/81-बी०ओ०-1(2)]

ज० व० मीरचन्दानी, उप सचिव

S.O. 1374.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. V. Yerka-dithaya, who has been re-appointed as Managing Director of Indian Overseas Bank with effect from 1st April, 1981 to be Chairman of the Board of Directors of the Indian Overseas Bank with effect from the same date.

[No. F. 9/3/81-BO. I(2)]

C. W. MURCHANDANI, Dy. Secy.

नई दिल्ली, 22 अप्रैल, 1981

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 22nd April, 1981

INCOME-TAX

क्रा०आ० 1375.—औद्योगिक वित्त निगम अधिनियम, 1948 (1948 का 15) की धारा 10 की उपधारा (1) के खंड (ख) के अनुसरण में, केन्द्रीय सरकार एतद्वारा आर्थिक कार्य विभाग (बैंकिंग प्रभाग) के अपर सचिव श्री भार० के० कौल० को श्री ए० आर० रंगनाथन के स्थान पर भारतीय औद्योगिक वित्त निगम के निदेशक के रूप में नामित करती है।

[एफ० सं० 2(21) आई० एफ० 1/81]

विनोद डाल, निदेशक (औद्योगिक वित्त)

New Delhi, the 22nd April, 1981

S.O. 1375.—In pursuance of clause (b) of sub-section (1) of section 10 of the Industrial Finance Corporation Act, 1948 (15 of 1948) the Central Government hereby nominates Shri R. K. Kaul, Additional Secretary, Department of Economic Affairs (Banking Division), as a Director of the Industrial Finance Corporation of India vice Shri N. R. Ranganathan.

[File No. 2(21) IF. I/81]

VINOD DHALL, Director (Industrial Finance)

नई दिल्ली, 24 अप्रैल, 1981

क्रा०आ० 1376.—भारतीय औद्योगिक विकास बैंक अधिनियम, 1964 (1964 का 18) की धारा 6 की उपधारा (4) के साथ पठित उपधारा (1) के खंड (ग) के उपखंड (4) के अनुसरण में, केन्द्रीय सरकार एतद्वारा श्री ए० सी० पांडे, प्रबन्ध निदेशक, राजस्थान वित्तीय निगम को श्री ए० एल० रंगटा के स्थान पर भारतीय औद्योगिक विकास बैंक के निदेशक के रूप में तत्काल नामित करती है।

[सं० एफ० 10(24)—आई०एफ०—1/81]

के० पी० पांडियन, अपर सचिव

New Delhi, the 24th April, 1981

S.O. 1376.—In pursuance of sub-clause (iv) of clause (c) of sub-section (1), read with sub-section (4), of section 6 of the Industrial Development Bank of India Act, 1964 (18 of 1964), the Central Government hereby nominates Shri H. C. Pande, Managing Director, Rajasthan Financial Corporation as Director of the Industrial Development Bank of India with immediate effect vice Shri A. L. Roongta.

[No. F. 10 (24)IF. I/81]

K. P. PANDIAN, Under Secy.

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 22 अप्रैल 1981

आयकर

क्रा०आ० 1377.—आयकर अधिनियम 1961 (1961 का 43) की धारा 194-क की उप-धारा (4) के खंड (iii) के उपखंड (ब) के अनुसरण में, केन्द्रीय सरकार, एतद्वारा, प्रबन्ध विकास संस्थान, नई दिल्ली को उक्त उप-खंड के प्रयोजन के लिये अधिसूचित करती है।

[संख्या (क्रा० सं० 275/63/80-आयकर बजट)]

एस० आर० बघवा, निदेशक

[(F. No. 275/63/80-ITB)]

S. R. WADHWA, Director

नई दिल्ली, 12 नवम्बर, 1981

आयकर

क्रा० आ० 1378.—केन्द्रीय प्रत्यक्ष कर बोर्ड आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए और इस सम्बन्ध में सभी पूर्व अधिसूचनाओं को अधिकान्त करन हुए, निदेश देता है कि नीचे की अनुसूची के स्तम्भ 1 में विनिर्दिष्ट रेंज का सहायक आयकर आयुक्त (अपील), उसके स्तम्भ 2 में तत्संबन्धी प्रविष्टि में विनिर्दिष्ट आयकर सफिला, वार्डों और जिलों में आयकर से निर्धारित सभी व्यक्तियों और आयों के बारे में आयकर से निर्धारित ऐसे सभी व्यक्तियों और आयों को छोड़कर जिन पर अधिकारिता आयकर आयुक्त (अपील) में निहित है, अपने कृत्यों का पालन करेंगे :—

अनुसूची

रेंज	आयकर सफिला/वार्ड और जिले
1	(2)
सहायक आयकर आयुक्त (अपील), कलकत्ता	1. कम्पनी जिला 1 2. कम्पनी जिला 2 3. कम्पनी जिला 3 4. कम्पनी जिला 4 5. कम्पनी जिला 5 6. विदेश अनुभाग 7. विदेश कम्पनी सफिला 1 8. विदेश कम्पनी सफिला 2 9. सहकारी आवास सफिला 10. सहकारी सोसाइटी सफिला 11. पटसन सफिला 12. विशेष सफिला 8 (कम्पनी जिला 5) 13. विशेष सफिला 1

(1)	(2)	(1)	(2)
सहायक आय-कर आयुक्त (अपील), रेंज 2, कलकत्ता	14 विशेष अन्वेषण सक्रिय 1 15. विशेष अन्वेषण सक्रिय 2 16. कम्पनी सक्रिय 6 1. जिला 8- हुण्डी सक्रिय विशेष सक्रिय 1 हुण्डी सक्रिय विशेष सक्रिय 2 हुण्डी सक्रिय	सहायक आय-कर आयुक्त (अपील), रेंज-14, कलकत्ता	1. जिला हावड़ा 2. विशेष सर्वेक्षण सक्रिय 9 3. विशेष सक्रिय-4, हावड़ा 4. विशेष सक्रिय-5, हावड़ा 5. विशेष सक्रिय-4
सहायक आय-कर आयुक्त (अपील), रेंज 3, कलकत्ता	2. सिनेमा सक्रिय 1. जिला 1(1) 2. विशेष सर्वेक्षण सक्रिय 2 3. विशेष सर्वेक्षण सक्रिय 7	सहायक आय-कर आयुक्त (अपील), रेंज-15, कलकत्ता	1. जिला 4(2) 2. विशेष सक्रिय 2
सहायक आय-कर आयुक्त (अपील), रेंज 4, कलकत्ता	1. जिला 4(3) 2. जिला 3(1)	सहायक आय-कर आयुक्त (अपील), रेंज-16, कलकत्ता	1. जिला 1(2) क से अ से भिन्न सभी बाई
सहायक आय-कर आयुक्त (अपील) रेंज-5, कलकत्ता	1. जिला 3(2) 2. विशेष अन्वेषण सक्रिय 3 3. जिला 5(2) 4. विशेष सक्रिय 3, जिला 5(2) 5. विशेष सक्रिय 6	सहायक आय-कर आयुक्त (अपील), रेंज 17 कलकत्ता	1. जिला 6 क से छ से भिन्न सभी बाई
सहायक आय-कर आयुक्त (अपील), रेंज-6, कलकत्ता	1. जिला 5(1) 2. विशेष सक्रिय 7	सहायक आय-कर आयुक्त (अपील), रेंज 18, कलकत्ता	1. जिला 24 परगना 2. विशेष सर्वेक्षण सक्रिय 8 3. हुगली
सहायक आय-कर आयुक्त (अपील), रेंज 7, कलकत्ता	1. जिला 4(1) 2. सर्वेक्षण सक्रिय	सहायक आय-कर आयुक्त (अपील), रेंज जलपाईगुड़ी	1. जलपाईगुड़ी 2. कूच-बिहार 3. बाजिसिंग 4. सिसिगुड़ी 5. विशेष सक्रिय, सिसिगुड़ी
सहायक आय-कर आयुक्त (अपील), रेंज-8, कलकत्ता	1. जिला 1(2) 2. क, ख, ग, घ, ङ, च, छ, ज, झ, ञ (क से अ) बाई	सहायक आय-कर आयुक्त (अपील) आसनसोल	6. पश्चिमी दिनाजपुर और मालदा 7. विशेष सक्रिय-8
सहायक आय-कर आयुक्त (अपील), रेंज-9, कलकत्ता	1. जिला 8 क 2. जिला 5क		1. आसनसोल 2. बर्दवान 3. मिर्जापुर 4. धीरभूम 5. बांकुरा 6. पुरनिया
सहायक आय-कर आयुक्त (अपील), रेंज-10, कलकत्ता	3. प्रतिवाय सक्रिय 4. आर एम एस सी 5. सी एम सी 6. न्याय सक्रिय 7. चार्टर्ड एकाउन्टेंट सक्रिय 8. बीमा अभिकर्ता सक्रिय 9. विशेष सक्रिय 5		
सहायक आय-कर आयुक्त (अपील), रेंज-11, कलकत्ता	1. जिला 2(2) 2. परियोजना सक्रिय 3. परियोजना सक्रिय 1 4. परियोजना सक्रिय 2 5. सम्पदा-शुल्क सक्रिय		
सहायक आय-कर आयुक्त (अपील), रेंज-12, कलकत्ता	1. जिला 2(1) 2. जिला 3(3) 3. विशेष सर्वेक्षण सक्रिय 3 4. विशेष सर्वेक्षण सक्रिय 4 5. विशेष सक्रिय -3		
सहायक आय-कर आयुक्त (अपील), रेंज-13 कलकत्ता	1. जिला 7 2. मुशिबाबाद 3. नाडिया 1. जिला 6 क, ख, ग, घ, ङ, च, छ, (क से अ बाई)		

आयकर सक्रिय, बाई या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज को अन्तर्गत हो गया है, अतः उस आय-कर सक्रिय, बाई या जिले या उसके भाग में किए गए निर्धारणों से उत्पन्न होने वाली और उस रेंज के, जिससे वह आय-कर सक्रिय, बाई या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व संबंधित अपीलें उस से जिस तारीख को वह अधिसूचना प्रभावी होती है, उस रेंज के, जिसको उक्त सक्रिय, बाई या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) को अन्तर्गत की जाएगी और उसके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 15-11-1980 से प्रभावी होगी।

[सं० 3723/का०सं० 261/26/80-आई० टी० जे०]

हु०

अवर सचिव, केन्द्रीय प्रत्यक्ष कर बोर्ड

New Delhi the 12th November 1980.

S.O. 1378.—In exercise of the powers conferred by Sub-section (1) of Section 122 of the Income-tax Act 1961 (43 of 1961) and in supersession of all the previous Notifications in this regard the Central Board of Direct Taxes, hereby directs that Appellate Assistant Commissioner of Income-tax of the Range

specified in Column 1 of the Schedule below shall perform their functions in respect of all persons and incomes assessed to Income-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in Column 2 thereof excluding all persons and incomes assessed to Income-tax over which the jurisdiction vests in Commissioner of Income-tax (Appeal).

SCHEDULE

Range	Income-tax Circles/Wards & Districts	Range	Income-Tax Circle/Wards & District,
Calcutta			
I	1. Companies District : I 2. Companies District : II 3. Companies District : III 4. Companies District : IV 5. Companies District : V 6. Foreign Section. 7. Foreign Companies Circle : I 8. Foreign Companies Circle : II 9. Co-operative Housing Circle 10. Co-operative Societies Circle 11. Jute Circle 12. Special Circle : VIII (Comp. Dist. V) 13. Special Circle : I 14. Special Investigation Circle : I 15. Special Investigation Circle : II 16. Companies District : VI.	X	9. Special Circle V 1. District II(2) 2. Project Circle 3. Project Circle : I 4. Project Circle : II 5. Estate Duty Circle.
II	1. District : VIII--Hundi Circle Special Circle : I Hundi Circle Special Circle : II Hundi Circle. 2. Cinema Circle	XI	1. District II (1) 2. District III (3) 3. Special Survey Circle III 4. Special Survey Circle IV 5. Special Circle : III
III	1. District I (1) 2. Special Survey Circle : II 3. Special Survey Circle : VII	XII	1. District : VII 2. Mursidabad 3. Nadia
IV	1. District : IV(3) 2. District : III(1)	XIII	1. District : VI (A B C D E F G A to G Wards)
V	1. District III (2) 2. Special Investigation Circle : III 3. District : V(2) 4. Special Circle : III, Dist. V(2) 5. Special Circle : VI	XIV (NEW)	1. District : Howrah 2. Special Survey Circle : IX 3. Special Circle : IV, Howrah 4. Special Circle : V, Howrah 5. Special Circle : IV
VI	1. District V(1) 2. Special Circle : VII	XV (NEW)	1. District : IV (2) 2. Special Circle : II
VII	1. District IV (1) 2. Survey Circle	XVI (NEW)	1. District : I(2) All Wards other than A to J
VIII	1. District I (2) A, B, C, D, E, F, G, H, I, J. (A to J) Wards	XVII	1. District : VI All Wards other than A to G
IX	1. District IIIA 2. District VA 3. Refund Circle 4. R M S C 5. C S C 6. Trust Circle 7. Chartered Accountants Circle 8. Insurance Agents Circle	XVIII	1. District 24 Parganas 2. Special Survey Circle VIII 3. Hooghly
		Jalpaiguri	1. Jalpaiguri 2. Cooch-Behar 3. Darjeeling 4. Siliguri 5. Special Circle, Siliguri 6. West Dinajpur & Maldah 7. Special Circle : VII
		Asansol	1. Asansol 2. Burdwan 3. Midnapore 4. Birbhum 5. Bankura 6. Purulia

Whereas the Income-tax Circle, Ward or District or part thereof stands transferred by this Notification from one Range to another Range, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this Notification before the Appellate Assistant Commissioner of the Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall from the date of this Notification takes effect be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This Notification shall take effect from 15-11-1980.

[No. 3723/F. No 261/26/80 ITJ]

आय-कर

का० डा० 1379.—केन्द्रीय प्रत्यक्ष कर बोर्ड आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए और अधिसूचना सं० 2559 (फा० सं० 261/26-78 आई०टी०जे०) तारीख-24 अक्टूबर 1978 को अधिकांश करने हुए, निर्देश देता है कि नीचे की अनुसूची के स्वयं (1) में विनिर्दिष्ट रेंजों के सहायक आयकर आयुक्त (अपील), उसके स्वयं (2) में तत्संबन्धी प्रविष्टि में विनिर्दिष्ट आयकर सफिलों, वार्डों और जिलों में आयकर से निर्धारित सभी व्यक्तियों और आयों के बारे में आय-कर से निर्धारित ऐसे सभी व्यक्तियों और आयों को छोड़कर जिन पर अधिकांश आय-कर आयुक्त (अपील) में निहित है, अपने कृत्यों का पालन करेंगे—

अनुसूची

रेंज और मुख्यालय (1)	आयकर सफिल/वार्ड और जिले (2)
1. सहायक आयुक्त (अपील), बंगलौर, रेंज-I (मुख्यालय) बंगलौर	1 सफिल 1, बंगलौर 2 आय-कर अधिकारी, विदेश अनुभाग बंगलौर 3 कम्पली सफिल 1 से 6, बंगलौर 4 वेतन सफिल, बंगलौर। 5 आय-कर अधिकारी, न्याय सफिल, बंगलौर 6 आ०क० अधि०, बंगलौर सफिल (पुराना) द्वारा पारित आदेशों की बाबत। 7 आ०क० अधि० चल्ता पटना द्वारा पारित आदेशों की बाबत। 8 मंगलौर सफिल, मंगलौर 9 उदुपी सफिल, उदुपी। 10 सम्पदा-शुल्क और आय-कर सफिल, बंगलौर 11 सम्पदा शुल्क और आय-कर सफिल मंगलौर 12 सम्पदा-शुल्क और आय-कर सफिल हुबली।
2. सहायक आयुक्त (अपील) बंगलौर रेंज-II (मुख्यालय) बंगलौर	1 सफिल 2, बंगलौर 2 विशेष सर्वेक्षण सफिल, बंगलौर 3 मैसूर सफिल, मैसूर 4 माण्ड्या सफिल, माण्ड्या 5 हसन सफिल, हसन 6 कुडगु सफिल, मरकारा 7 बिकमगलूर सफिल, बिकमगलूर
3. सहायक आयुक्त (अपील) बंगलौर रेंज-III (मुख्यालय) बंगलौर	1 सफिल 3 बंगलौर 2 केन्द्रीय सफिल 1, 2, 3, 4 और 5 बंगलौर 3 कोलार सफिल, कोलार 4 दुमकुर सफिल, दुमकुर।

(1)

4. सहायक आयुक्त
(अपील), धारवाड़-
रेंज, (मुख्यालय) हुबली

(2)

- हुबली सफिल, हुबली
- धारवाड़ सफिल, धारवाड़
- गङ्गा सफिल, गङ्गा
- शिमोगा सफिल, शिमोगा
- रायचुर सफिल, रायचुर
- गुलबर्गा सफिल, गुलबर्गा
- बैलारी सफिल, बैलारी
- हाम्पेट सफिल, हाम्पेट
- चित्रापुर सफिल, चित्रापुर
- देवनगिरि सफिल, देवनगिरि।
- पणजी सफिल, पणजी
- मारगाओ सफिल, मारगाओ
- बेलगाम सफिल, बेलगाम
- बीजापुर सफिल, बीजापुर
- बगलकोट सफिल, बगलकोट
- करवार सफिल, करवार

5. सहायक आयुक्त
(अपील), पणजी-रेंज,
पणजी

आयकर सफिल, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज को अन्तर्गत हो गया है, अतः उस आय-कर सफिल, वार्ड या जिले या उसके भाग में किए गए निर्धारणों से उत्पन्न होने वाली और उस रेंज के, जिसमें वह आय-कर सफिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व सजित अपीले उस तारीख से जिस तारीख को यह अधिसूचना प्रभावी होती है, उस रेंज के, जिसको उक्त सफिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) को अन्तर्गत की जाएगी और उनके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 15-11-1980 से प्रभावी होगी।

[सं० 3724/फा० सं० 261/31/80-आई टी जे]

Income-Tax

S. O. 1379. —In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of Notification No. 2559 (F. No. 261/26/78-ITJ) dated 24th October, 1978, the Central Board of Direct Taxes hereby directs that Appellate Asst. Commissioners of Income-tax, of the Ranges specified in Col (1) of the Schedule below, shall perform their functions in respect of all persons and incomes assessed to Income-tax in the Income-tax Circle, Wards and Districts specified in the corresponding entry in Col. (2) thereof excluding all persons and incomes assessed to Income-tax over which the jurisdiction vests in Commissioner of Income-tax (Appeals).

SCHEDULE

Range with Head Quarters	Income-tax Circle, Wards & District
1	2
1. A.A.C., Bangalore Range-I (Hq) Bangalore	1. Circle-I, Bangalore 2. Income-tax officer, Foreign Section, Bangalore

1	2
	3. Company Circle-I to VI, Bangalore
	4. Salary Circle, Bangalore
	5. Income-tax Officer, Trust Circle, Bangalore
	6. In respect of orders passed by the ITOs Bangalore Circle (Old)
	7. In respect of orders passed by the T.O. Channarayana
	8. Mangalore Circle, Mangalore
	9. Udipi Circle, Udipi
	10. Estate Duty-cum Income-tax Circle, Bangalore
	11. Estate Duty cum-Income-tax Circle, Mangalore
	12. Estate Duty cum-Income-tax Circle, Hubli
2. A.A.C., Bangalore Range-II (Hq) Bangalore	1. Circle-II, Bangalore 2. Special Survey Circle, B'lore 3. Mysore Circle, Mysore 4. Mandya Circle, Mandya 5. Hassan Circle, Hassan 6. Coorg Circle, Mercara 7. Chickamagalur Circle, Chickamagalur.
3. A.A.C., Bangalore Range-III(Hq) Bangalore	1. Circle-III, Bangalore 2. Central Circle-I, II, III, IV and V Bangalore. 3. Kolar Circle, Kolar 4. Tumkur Circle, Tumkur
4. A.A.C. Dharwar Range (Hq) Hubli	1. Hubli Circle, Hubli 2. Dharwar Circle, Dharwar 3. Gadag Circle, Gadag. 4. Shimoga Circle, Shimoga 5. Raichur Circle, Raichur 6. Gulbarga Circle, Gulbarga 7. Bellary Circle, Bellary 8. Hospet Circle, Hospet 9. Chitradurga Circle, Chitradurga. 10. Davangere Circle, Davangere
5. A.A.C., Panaji Range, Panaji	1. Panaji Circle, Panaji 2. Margao Circle, Margao 3. Belgaum Circle, Belgaum 4. Bijapur Circle, Bijapur 5. Bagalkot Circle, Bagalkot 6. Karwar Circle, Karwar

Whereas the Income-tax circle, ward or district or part thereof stands transferred by this Notification from one Range to another Range, as appeals arising out of the assts. made in that Income-tax circle, ward or Districts or part thereof and pending immediately before the date of this notification before Appellate Asstt. Commissioner of the Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall from the date of this notification takes effect be transferred to and dealt with by the Appellate Asstt. Commissioner of the Range to whom the said circle, ward or district or part thereof is transferred.

This notification shall take effect from.....

[No. 3724/F. No. 261/31/80-ITJ]

क्र०आ० 1380.-केन्द्रीय प्रत्यक्ष कर बोर्ड आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करने हुए और बोर्ड की अधिसूचना सं० 3221 (फा०सं० 261/2/80-आई०टी० जे.) तारीख 20-3-1980 का आंशिक उपांतरण करते हुए, निदेश देता है कि नीचे की अनुसूची के स्तम्भ (1) में विनिर्दिष्ट रेंजों के सहायक आयकर आयुक्त (अपील) उसके स्तम्भ (2) में तत्संबन्धी प्रविष्टि में विनिर्दिष्ट आयकर सफिलों, बोर्डों और जिलों में आयकर या अधिकार से निर्धारित सभी व्यक्तियों और आयों के बारे में आयकर या अधिकार से निर्धारित ऐसे व्यक्तियों और आयों को छोड़कर जिन पर अधिकारिता आयकर आयुक्त (अपील) में निहित है, अपने कर्तव्यों का पालन करेंगे :-

अनुसूची	
रेंज और मुख्यालय	आयकर सफिल/बोर्ड और जिले
(1)	(2)
सहायक आयकर आयुक्त (अपील), क-रेंज, मुम्बई	1. कम्पनी सफिल-1 2. बम्बई सफिल 3. वृत्रिक सफिल 4. विशेष सफिल-1
सहायक आयकर आयुक्त (अपील), ख-रेंज, मुम्बई	1. कम्पनी सफिल-2 2. विदेशी कम्पनी सफिल-1 3. साम्प्रदायिक, सफिल 4. विशेष सफिल-2 5. विशेष सफिल-2क 6. 10 बोर्ड 7. बी०आर०सी० 8. एन०आर०आर० सी०
सहायक आयुक्त (अपील), ग-रेंज, मुम्बई	1. कम्पनी सफिल-3 2. विदेशी कम्पनी सफिल-2 3. क-5 बोर्ड 4. फिरोज सफिल 5. विशेष सफिल-3 6. विशेष सफिल-3क
सहायक आयुक्त (अपील), घ-रेंज, मुम्बई	1. कम्पनी सफिल-4 2. क-1, बोर्ड 3. विशेष सफिल-4 4. विशेष सफिल, 4-क
सहायक आयुक्त, (अपील), ङ-रेंज, मुम्बई	1. क-2 बोर्ड 2. न्याम सफिल
सहायक आयुक्त (अपील), च-रेंज, मुम्बई	1. कम्पनी सफिल-5 2. बी-1 बोर्ड 3. बी-2 बोर्ड 4. बी-3 बोर्ड 5. निष्क्रान्त सफिल-2 6. विदेश अनुभाग 7. विशेष सफिल-5 8. विशेष सफिल-5 क
सहायक आयुक्त (अपील), छ-रेंज, मुम्बई	1. कम्पनी सफिल-6 2. विशेष सफिल 6 3. पार्सेट बोर्ड

1	2
सहायक आयुक्त, (अपील), न-रेंज, मुम्बई	1. क-3 वार्ड 2. क-4 वार्ड 3. विशेष सफिल-1 श्री-2 (पुनर्नि)
सहायक आयुक्त, (अपील), झ-रेंज, मुम्बई	1. घ-1 वार्ड
सहायक आयुक्त (अपील), झ-रेंज, मुम्बई	1. घ-2 वार्ड
सहायक आयुक्त, (अपील), ट-रेंज, मुम्बई	1. ग-4 वार्ड 2. विशेष सफिल-7क
सहायक आयुक्त (अपील), ठ-रेंज, मुम्बई	1. ग-1 वार्ड 2. ग-3 वार्ड 3. विशेष सफिल-7
सहायक आयुक्त (अपील), ड-रेंज, मुम्बई	1. ग-2 वार्ड 2. निष्कान्त सफिल-1 3. ग-5 वार्ड
सहायक आयुक्त (अपील), ड-रेंज, मुम्बई	1. छ-वार्ड 2. छ-क-वार्ड 3. छ-वार्ड
सहायक आयुक्त (अपील), ण-रेंज, मुम्बई	1. बी एम डी (दक्षिण) 2. विशेष रेंज-8
सहायक आयुक्त (अपील), त-रेंज, मुम्बई	1. बी एम डी (पश्चिम) 2. सर्वोच्च सफिल-1 3. सर्वोच्च सफिल-2
सहायक आयुक्त (अपील), थ-रेंज, मुम्बई	1. बी एम डी (एन) 2. बी एम डी (पूर्व) 3. विशेष सफिल-9
सहायक आयुक्त (अपील), द-रेंज, मुम्बई	1. वेतन शाखा 1 2. वेतन शाखा 2 3. टी डी एस
सहायक आयुक्त (अपील), ध-रेंज, मुम्बई	1. केन्द्रीय अनुभाग 1 से 28 तक

आयकर सफिल, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज को अन्तर्गत हो गया है, अतः उस आयकर सफिल, वार्ड या जिले या उसके भाग में किए गए निर्धारणों से उत्पन्न होने वाली और उस रेंज के, जिससे वह आयकर सफिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व संबंधित अपीलें उन तारीख से जिस तारीख को यह अधिसूचना प्रभावी होती है, उस रेंज के, जिसको उक्त सफिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) को अन्तर्गत की जाएगी और उसके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 15-11-80 से प्रभावी होगी।

[सं० 3725/फाइल सं० 261/2/80-आई०टी०जे०]

S. O. 138 In exercise of the powers conferred by Sub-section (1) and Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling

it in that behalf and in partial modification of the Board's Notification No. 3221 (F. No. 261/2/80-ITJ) dated the 20-3-1980, the Central Board of Direct Taxes hereby direct that the Appellate Assistant Commissioners of Income-tax of the Range specified in Column (1) of the Schedule below shall perform their functions in respect of all persons and income assessed to Income-tax or Super-tax in the Income-tax Circles, Wards and Districts, specified in the corresponding entry in Column (2) thereof excluding all persons and income assessed to Income-tax or Super-tax over which jurisdiction vests in Commissioner of Income-tax (Appeals).

SCHEDULE

Ranges with Headquarters	Income-tax Circles, Wards and Districts.
1	2
Appellate Assistant Commissioner of Income-tax, A-Range, Bombay	1. Com. Circle-I 2. Bombay, Circle 3. Professional Circle 4. Special Circle-I
Appellate Assistant Commissioner of Income-tax, B-Range, Bombay.	1. Com. Circle-II 2. Foreign Cos. Circle-I 3. Estate Duty Circle 4. Special Circle-II 5. Special Circle-IIA 6. X-Ward. 7. BRC 8. NRRC
Appellate Assistant Commissioner of Income-tax, C-Range, Bombay.	1. Com. Circle-III 2. Foreign Cos. Circle-II 3. A-V Ward. 4. Film Circle. 5. Special Circle-III 6. Special Circle-IIIA
Appellate Assistant Commissioner of Income-tax, D-Range, Bombay.	1. Com. Circle-IV 2. A-I Ward 3. Special Circle-IV 4. Special Circle-IVA
Appellate Assistant Commissioner of Income-tax, E-Range, Bombay.	1. A-II Ward. 2. Trust Circle.
Appellate Assistant Commissioner of Income-tax, F-Range, Bombay.	1. Com. Circle-V 2. B-I Ward 3. B-II Ward 4. B-III Ward 5. Evacuee Circle-II 6. Foreign Section 7. Special Circle-V 8. Special Circle-VA
Appellate Assistant Commissioner of Income-tax, G-Range, Bombay.	1. Com. Circle-VI, 2. Special Circle VI 3. Market Ward.
Appellate Assistant Commissioner of Income-tax, H-Range, Bombay.	1. A-III Ward 2. A-IV Ward 3. Special Circle I & II(Old)
Appellate Assistant Commissioner of Income-tax, I-Range, Bombay.	1. D-I Ward

1	2
Appellate Assistant Commissioner of Income-tax, J-Range, Bombay.	1. D-II Ward
Appellate Assistant Commissioner of Income-tax, K-Range, Bombay.	1. C-IV Ward 2. Special Circle VII A
Appellate Assistant Commissioner of Income-tax, L-Range, Bombay.	1. C-I Ward 2. C-III Ward 3. Special Circle-VII
Appellate Assistant Commissioner of Income-tax, M-Range, Bombay.	1. C-II Ward 2. Evacuee Circle-I 3. C-V Ward.
Appellate Assistant Commissioner of Income-tax, N-Range, Bombay.	1. G-Ward 2. GA-Ward 3. E-Ward
Appellate Assistant Commissioner of Income-tax, O-Range, Bombay	1. BSD (South) 2. Special Range VIII
Appellate Assistant Commissioner of Income-tax, P-Range, Bombay.	1. BSD (West) 2. Survey Circle-I 3. Survey Circle-II
Appellate Assistant Commissioner of Income-tax, Q-Range, Bombay.	1. BSD (N) 2. BSD (East) 3. Special Circle -IX
Appellate Assistant Commissioner of Income-tax, R-Range, Bombay.	1. Salaries Branch I 2. Salaries Branch II 3. TDS
Appellate Assistant Commissioner of Income-tax S-Range, Bombay.	1. Central Sections I to XXVIII

Whereas the Income-tax Circle, Ward or District or part thereof stands transferred by this Notification from the Range to another Range, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this Notification before the A.A.C. is transferred shall from that date of this Notification takes effect be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This Notification shall take effect from 15-11-1980.

[No. 3725 /F. No. 261/2/80 ITJ]

का० आ० 13.81 .— केन्द्रीय प्रत्यक्ष कर बोर्ड, आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रबल शक्तियों का प्रयोग करने हुए और इस संबंध में अधिसूचना सं० 3528 (फा०सं० 261/12/80-आई०टी०जे०) तारीख 7 जुलाई, 1980 का आंगिक उपान्तरण करने हुए, निदेश देता है कि अनुसूची के स्तम्भ (1) में विनिर्दिष्ट रेंजों के सहायक आयकर आयुक्त (अपील) उनके स्तम्भ (2) में मरसंधेष्टी प्रविष्टि में विनिर्दिष्ट आयकर अधिकारियों, वार्डों और जिलों में आयकर से निर्धारित सभी व्यक्तियों और आयों के बारे में आयकर से निर्धारित ऐसे सभी व्यक्तियों और आयों को छोड़कर, जिनपर अधिकांश आयकर आयुक्त (अपील) में निहित है, अपने कृत्यों का पालन करेंगे :—

अनुसूची	
रेंज	आयकर अधिकारी, वार्ड और जिले
(1)	(2)
1 सहायक आयकर आयुक्त (अपील), क-रेंज इन्दौर	1 आयकर अधिकारी, केन्द्रीय सफिल, इन्दौर 2 आयकर अधिकारी, क-वार्ड, इन्दौर 3 अपर आयकर अधिकारी, क-वार्ड, सफिल-1, इन्दौर 4 आयकर अधिकारी, क-वार्ड, सफिल-1 इन्दौर 5 आयकर अधिकारी, ख-वार्ड, इन्दौर 6 आयकर अधिकारी, ख-वार्ड, सफिल-1, इन्दौर 7 आयकर अधिकारी, ग-वार्ड, इन्दौर 8 आयकर अधिकारी, ग-वार्ड, सफिल-1 इन्दौर 9 आयकर अधिकारी, ड-वार्ड, इन्दौर 10 आयकर अधिकारी अपर, ख-वार्ड, इन्दौर 11 आयकर अधिकारी, छ-वार्ड, सफिल-1 इन्दौर 12 अपर आयकर अधिकारी, छ-वार्ड, सफिल-1, इन्दौर 13 सहायक सम्पदा-शुल्क नियंत्रक, इन्दौर 14 आयकर अधिकारी, विशेष सम्पदा-शुल्क और आयकर सफिल, इन्दौर 15 आयकर अधिकारी, विशेष अन्वेषण सफिल, इन्दौर 16 आयकर अधिकारी, विशेष अन्वेषण सफिल, इन्दौर 17 आयकर अधिकारी, विशेष अन्वेषण सफिल-1, इन्दौर 18 आयकर अधिकारी, विशेष अन्वेषण सफिल-2, इन्दौर 19 आयकर अधिकारी, धार 20 आयकर अधिकारी, (संग्रहण और बसूली वार्ड), सफिल-1, इन्दौर 21 आयकर अधिकारी, इन्दौर (15 जून, 1971 तक यथा विद्यमान)
2 सहायक आयकर आयुक्त (अपील), ख-रेंज, इन्दौर	1 आयकर अधिकारी, ज-वार्ड, इन्दौर 2 आयकर अधिकारी, छ-वार्ड, सफिल-2, इन्दौर 3 आयकर अधिकारी, छ-वार्ड, इन्दौर 4 आयकर अधिकारी, छ-वार्ड, सफिल-2 इन्दौर 5 आयकर अधिकारी ज-वार्ड, इन्दौर 6 आयकर अधिकारी, अ-वार्ड, सफिल-1, इन्दौर 7 आयकर अधिकारी, अ-वार्ड, इन्दौर 8 आयकर अधिकारी, छ-वार्ड, सफिल-2, इन्दौर 9 आयकर अधिकारी, ट-वार्ड, इन्दौर 10 आयकर अधिकारी, ट-वार्ड, सफिल-1, इन्दौर

1	2
	11 आय-कर अधिकारी, ड-वार्ड, इन्दौर 12 आय-कर अधिकारी, ड-वार्ड, मकिल-1, इन्दौर 13 आय-कर अधिकारी, ड-वार्ड, इन्दौर 14 आय-कर अधिकारी, ड-वार्ड मकिल-2, इन्दौर 15 अपर आय-कर अधिकारी, ड-वार्ड, मकिल-2, इन्दौर 16 आय-कर अधिकारी, ड-वार्ड, इन्दौर 17 आय-कर अधिकारी, ड-वार्ड, मकिल-1, इन्दौर 18 आय-कर अधिकारी, प्रशासन, इन्दौर 19 आय-कर मकिल, देवास 20 सहायक आय-कर आयुक्त (अपील), ग-रेंज, इन्दौर
3. सहायक आय-कर आयुक्त (अपील), ग-रेंज, इन्दौर	1 आय-कर अधिकारी ड-वार्ड, इन्दौर 2 आय-कर अधिकारी ड-वार्ड, मकिल 2, इन्दौर 3 आय-कर अधिकारी ड-वार्ड, इन्दौर 4 आय-कर अधिकारी ड-वार्ड, मकिल 2, इन्दौर 5 आय-कर अधिकारी ड-वार्ड, 6 आय-कर अधिकारी ड-वार्ड, मकिल 2, इन्दौर 7 पहला अपर आय-कर अधिकारी, ड-वार्ड, मकिल-2, इन्दौर 8 दूसरा अपर आय-कर अधिकारी, ड-वार्ड, मकिल-2, इन्दौर 9 आय-कर अधिकारी, ड-वार्ड, इन्दौर 10 आय-कर अधिकारी, ड-वार्ड, मकिल-2, इन्दौर 11 आय-कर अधिकारी, ड-वार्ड, मकिल-2, इन्दौर 12 आय-कर अधिकारी, विशेष सर्वेक्षण मकिल, इन्दौर 13 आय-कर अधिकारी (विशेष और सर्वेक्षण मकिल वार्ड), मकिल-1, इन्दौर 14 आय-कर अधिकारी, सर्वेक्षण मकिल, इन्दौर 15 आय-कर अधिकारी, विशेष और सर्वेक्षण मकिल-1, इन्दौर 16 आय-कर अधिकारी, विशेष और सर्वेक्षण मकिल-2, इन्दौर 17 आय-कर मकिल, खण्डवा 18 आय-कर मकिल, खरगोन 19 आय-कर मकिल, मंदसौर
4. सहायक आय-कर आयुक्त (अपील), उज्जैन-रेंज, उज्जैन	1 आय-कर मकिल, उज्जैन 2 आय-कर मकिल, रतलाम
5. सहायक आय-कर आयुक्त (अपील), भोपाल-रेंज, भोपाल	1 आय-कर मकिल, भागलपुर 2 आय-कर मकिल, हठारसी 3 आय-कर मकिल, कैमल

1	2
6 सहायक आय-कर आयुक्त (अपील), खानिदर-रेंज, खानिदर	1 आय-कर मकिल, खानिदर 2 आय-कर मकिल, गुना 3 आय-कर मकिल, शिवपुरी 4 आय-कर मकिल, धिदिगा 5 आय-कर मकिल, मुरैना

आय-कर मकिल, वार्ड या जिला या उसके भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज को अन्तर्गत हो गया है, अतः उस आय-कर मकिल, वार्ड या जिले या उसके भाग में किये गये निर्धारणों से उत्पन्न होने वाली और उस रेंज के, जिसमें वह आय-कर मकिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के द्योतक पक्ष लब्ध अपीलें उस तारीख से जिस तारीख को यह अधिसूचना प्रभावी होती है, उस रेंज के, जिसका उक्त मकिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) को अन्तर्गत की जायेगी और उसके द्वारा उन पर कार्यवाही की जायेगी।

यह अधिसूचना 15-11-80 से प्रभावी होगी।

[मं. 3726/फा०सं० 261/12/80-आई टीजे]

S.O. 1381.—In exercise of the powers conferred by sub-section (i) of Section 122 of the I.T. Act, 1961 (43 of 1961) and in partial modification of Notification No. 3528 (F. No. 261/12/80-ITJ) dated the 7th July, 1980 in this regard, the Central Board of Direct Taxes hereby directs that Appellate Assistant Commissioner of Income-tax of the Ranges specified in column (i) of the Schedule below shall perform their functions in respect of all persons and income assessed to income-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column (2) thereof excluding all persons and incomes assessed to Income-tax over which the jurisdiction vests in Commissioner of Income-tax (Appeals).

SCHEDULE

Range	Income-tax Circles Wards & Districts
1. Appellate Asstt. Commissioner of Income-tax, A-Range, Indore	1. ITO, Central Circle, Indore 2. ITO, A-Ward, Indore 3. Addl. ITO, A-Ward, Circle-I, Indore 4. ITO, A-Ward, Circle-I, Indore 5. ITO, B-Ward, Indore 6. ITO, B-Ward, Circle-I, Indore 7. ITO, C-Ward, Indore 8. ITO, C-Ward, Circle-I, Indore 9. ITO, E-Ward, Indore 10. ITO, Addl. E-Ward, Indore 11. ITO, E-Ward, Circle-I, Indore 12. Addl. ITO, E-Ward, Circle-I, Indore 13. Asstt. Controller of Estate Duty, Indore 14. ITO, Special Estate Duty-cum-ITO, Circle, Indore 15. ITO, Special Investigation Circle, Indore

1	2
	16. ITO, (Special Investigation Circle), Indore
	17. ITO, Special Investigation Circle-I, Indore.
	18. ITO, Special Investigation Circle-II, Indore
	19. Income tax Circle, Dhar
	20. ITO, (Collection & Recovery Ward), Circle-I, Indore
	21. ITO, B-Ward, Indore (as existing upto 15th June, 1971)
2. Appellate Asstt. Commissioner of Incometax, B-Range, Indore	1. ITO, F-Ward, Indore
	2. ITO, F-Ward, Circle-II, Indore
	3. ITO, G- Ward, Indore
	4. ITO, G-Ward, Circle-II, Indore
	5. ITO, H-Ward, Indore
	6. ITO, H-Ward, Circle-I, Indore
	7. ITO, J-Ward, Indore
	8. ITO, J- Ward, Circle- II, Indore
	9. ITO, K- Ward, Indore
	10. ITO, K- Ward, Circle-I, Indore
	11. ITO, L- Ward, Indore
	12. ITO, L- Ward, Circle-I, Indore
	13. ITO, M-Ward, Indore
	14. ITO, M-Ward, Circle-II, Indore
	15. Addl. ITO, M-Ward, Circle-II, Indore
	16. ITO, N-Ward, Indore
	17. ITO, O-Ward, Circle-I, Indore
	18. ITO, Administration, Indore
	19. IT, Circle, Dewas
	20. IT Circle, Mhow
3. Appellate Asstt. Commissioner of Incometax, C-Range, Indore	1. ITO, D-Ward, Indore
	2. ITO, D-Ward, Circle- II, Indore
	3. ITO, P-Ward, Indore
	4. ITO, P-Ward, Circle-II, Indore
	5. ITO, Q- Ward, Indore
	6. ITO, Q-Ward, Circle-II, Indore
	7. Ist Addl. ITO, Q-Ward, Circle-II, Indore
	8. IInd Addl. ITO, Q-Ward, Circle-II, Indore
	9. ITO, R-Ward, Indore
	10. ITO, R-Ward, Circle-II, Indore
	11. ITO, S-Ward, Circle-II, Indore
	12. ITO, Special Survey Circle, Indore
	13. ITO, (Special & Survey Circle Ward), Circle-I, Indore
	14. ITO, Survey Circle, Indore
	15. ITO, Special & Survey Circle-I, Indore
	16. ITO, Special & Survey Circle-II, Indore
	17. IT Circle, Khandwa
	18. IT Circle, Khargone
	19. IT Circle, Mandsaur
4. Appellate Asstt. Commissioner of Income-tax, Ujjain range, Ujjain	1. IT Circle, Ujjain
	2. IT Circle, Ratlam

1	2
5 Appellate Asstt. Commissioner of Incometax, Bhopal Range, Bhopal	1. IT Circles, Bhopal
	2. IT Circle, Itarsi
	3. IT Circle, Betul
6. Appellate Asstt. Commissioner of Incometax, Gwalior Range, Gwalior	1. IT Circle, Gwalior
	2. IT Circle, Guna,
	3. IT Circle, Shivpuri
	4. IT Circle, Vidisha
	5. IT Circle, Morena

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this Notification from one Range to another Range, appeals arising out of the assessments made in that Income-tax Circle, Ward or Districts or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of the Range from whom that I.T. Circle, Ward or District or part thereof is transferred shall from the date of this notification takes effect be transferred to and dealt with by the Appellate assistant Commissioner of the Range to whom the said Circle, ward or District or part thereof is transferred.

This Notification is effective from 15-11-80

[No.3726/F.No. 261/ 12 /80 ITJ]

का०श्रा० 1382.—केन्द्रीय प्रत्यक्ष कर बोर्ड, आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए और इस सबन्ध में सभी पूर्व अधिसूचनाओं को अधिकांश करते हुए, निदेश देता है कि नीचे की अनुसूची के स्तम्भ 2 में विनिर्दिष्ट रेंजों के सहायक आयकर आयुक्त (अपील), उनके स्तम्भ 3 की तत्संबन्धी प्रविष्टि में विनिर्दिष्ट आयकर सर्किलों, वार्डों या जिलों में आयकर या अधिकर से निर्धारित सभी व्यक्तियों और श्रावों के बारे में अपने कृत्यों का पालन करेंगे।

अनुसूची

क्रम सं०	रेंज	आयकर सर्किल, वार्ड और जिले
1	2	3
1. सहायक आयुक्त (अपील), पटना-रेंज, पटना		1. विशेष अन्वेषण सर्किल, पटना
		2. आयकर सर्किल-I और सर्किल-II, पटना
		3. विशेष सम्पदा शुल्क और आयकर सर्किल, पटना
		4. शाहाबाद सर्किल, श्राव
		5. आयकर सर्किल, साताराम
		6. आयकर सर्किल, नालन्दा

7. आयकर सिकिल, मुंगेर
8. आयकर सिकिल, भागलपुर
9. आयकर सिकिल, देवघर

2. सहायक आयुक्त (अपील)
मुजफ्फरनगर-रेंज, मुजफ्फरपुर

1. आयकर सिकिल, मुजफ्फरपुर
2. आयकर सिकिल, मोतिहारी
3. आयकर सिकिल, बेतिया
4. आयकर सिकिल, छपरा
5. आयकर सिकिल, दरभंगा
6. आयकर सिकिल, सहरसा
7. आयकर सिकिल, बेगुसराय
8. आयकर सिकिल, पूर्णिया
9. विशेष अन्वेषण सिकिल, मुजफ्फरपुर.

3. सहायक आयुक्त (अपील),
रांची रेंज, रांची

1. आयकर सिकिल I, रांची
2. आयकर सिकिल II, रांची
3. विशेष रेंज, रांची
4. आयकर सिकिल, जमशेदपुर
5. आयकर सिकिल, डालटेनगंज
6. विशेष रेंज, जमशेदपुर

4. सहायक आयुक्त (अपील),
धनबाद-रेंज, धनबाद

1. आयकर सिकिल II, धनबाद
2. आयकर सिकिल II, धनबाद
3. विशेष सिकिल, धनबाद
4. आयकर सिकिल, बोकारो स्टील नगर, बोकारो
5. आयकर सिकिल, गिरिडीह
6. आयकर सिकिल, हजारीबाग
7. आयकर सिकिल, गया

आयकर सिकिल, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज को अन्तर्गत हो गया है, अतः उस आयकर सिकिल वार्ड या जिम्मे या उसके भाग में किए गए निर्धारणों से उत्पन्न होने वाली और उस रेंज के, जिससे वह आयकर सिकिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील), के समक्ष इस अधिसूचना की तारीख से ठीक पूर्व लंबित अपीलें उस तारीख से जिस तारीख को यह अधिसूचना प्रभावी होती है, उस रेंज के, जिसको उक्त सिकिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील), को अन्तर्गत की जाएगी और उसके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 20-11-80 से प्रभावी होगी।

[सं० 3732 फा० सं० 261/32/80-आई टी जे]

परन्तु उपरोक्त सहायक आयुक्त आयुक्त (अपील), की ऐसे मामलों या प्रकार के मामलों पर उनको छोड़कर जो विनिर्दिष्ट रूप से आयकर आयुक्त (अपील), बिहार को सौंपे गए हैं, अधिकांशित होगी।

S.O. 1382 :- In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in this behalf, and in supersession of all the previous notifications in this regard the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioner of Income-tax of the ranges specified in column 2 of the schedule below shall

perform their functions in respect of all the persons and incomes assessed to income-tax, or super tax in the income-tax circles' Wards of Districts specified in corresponding entry in column 3 thereof.

SCHEDULE

Sl. No.	Ranges.	Income-tax circles, Wards and Districts.
1	2	3
1. Appellate Assistant Commissioner, Patna Range, Patna.		1. Special Investigation Circle, Patna. 2. I.T. Circle-I & Circle-II, Patna. 3. Special E.D.-Cum-I.T. Circle, Patna. 4. Shahabad Circle, Arrah. 5. I.T. Circle, Sasaram. 6. I.T. Circle, Nalanda. 7. I. T. Circle, Monghyr. 8. I. T. Circle, Bhagalpur. 9. I. T. Circle, Deoghar.
2. Appellate Assistant Commissioner, Muzaffarpur Range, Muzaffarpur.		1. I.T. Circle, Muzaffarpur. 2. I.T. Circle, Motihari. 3. I.T. Circle, Bettiah. 4. I.T. Circle, Chapra. 5. I.T. Circle, Darbhanga. 6. I.T. Circle, Saharsa. 7. I.T. Circle, Begusarai. 8. I.T. Circle, Purnea. 9. Special Investigation circle, Muzaffarpur.
3. Appellate Assistant Commissioner, Ranchi Range, Ranchi.		1. I.T. Circle-I, Ranchi. 2. I.T. Circle-II, Ranchi. 3. Special Range, Ranchi. 4. I. T. Circle, Jamsheipur. 5. I. T. Circle, Daltonganj. 6. Special Range, Jamshepur.
4. Appellate Assistant Commissioner, Dhanbad Range, Dhanbad.		1. I. T. Circle-I, Dhanbad. 2. I. T. Circle-II, Dhanbad. 3. Special Circle, Dhanbad. 4. I. T. Circle, Bokaro Steel City, Bokaro. 5. I. T. Circle, Giridih. 6. I. T. Circle, Hazaribagh. 7. I. T. Circle, Gaya.

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one Range to another Range, appeal arising out of the assessment made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this Notification before the Appellate Asstt. Commissioner of the Range from whom the Income-tax Circle, Ward or District or part thereof is transferred shall from the date of this Notification shall take effect, be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said circle, Ward or

district or part thereof is transferred provided that the above Appellate Assistant Commissioner of Income-tax shall hold appellate jurisdiction over the cases or types of cases to the exclusion of those specifically assigned to Commissioner of Income-tax (Appeals), Bihar.

This Notification shall take effect from 20-11-80.

[No. 3732 F.No. 261/32/80-ITJ]

Explanatory Note:—This notification becomes necessary consequent on enhancement in the number of AAC's Range from 3 to 4 (The above note does not form part of the Notification but is intended to be merely clarificatory).

कॉऑ० 1383 —केन्द्रीय प्रत्यक्ष कर बोर्ड आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करने हुए और इस संबंध में सभी पूर्व अधिसूचनाओं को अधिकार करने हुए निदेश देता है कि नीचे की अनुसूची के स्तम्भ (1) में विनिर्दिष्ट रेंजों के सहायक आयकर आयुक्त (अपील) उनके स्तम्भ (2) की तत्संबन्धी प्रविष्टि में विनिर्दिष्ट आयकर सर्किलों, वार्डों और जिलों में आयकर से निर्धारित सभी व्यक्तियों और आयों के बारे में, आयकर से निर्धारित ऐसे सभी व्यक्तियों और आयों को छोड़कर जिन पर अधिकांश आयकर आयुक्त (अपील) में निहित है, अपने कर्तव्यों का पालन करेंगे—

अनुसूची

रेंज और मुख्यालय	आयकर सर्किल/वार्ड/जिले
1	2
सहायक आयकर आयुक्त (अपील), त्रिवेन्द्रम	1. आयकर सर्किल त्रिवेन्द्रम 2. आयकर वेतन सर्किल, त्रिवेन्द्रम 3. आयकर केन्द्रीय सर्किल, त्रिवेन्द्रम 4. आयकर सर्किल, कवीलोन 5. आयकर सर्किल, थोक्कल्ला 6. आयकर सर्किल, कोंटायम 7. आयकर सर्किल, अलेप्पी
सहायक आयकर आयुक्त (अपील) एर्नाकुलम	1. आयकर सर्किल, एर्नाकुलम 2. आयकर कम्पनी सर्किल, एर्नाकुलम 3. आयकर केन्द्रीय सर्किल, एर्नाकुलम 4. आयकर विशेष सर्किल, एर्नाकुलम 5. आयकर सर्वेक्षण सर्किल, एर्नाकुलम 6. आयकर वेतन सर्किल, एर्नाकुलम 7. आयकर मट्टनचेरी 8. आयकर सर्किल, अन्नवाण 9. सम्पदा शुल्क सर्किल, एर्नाकुलम 10. सम्पदा-शुल्क सर्किल, त्रिचुर 11. आयकर सर्किल, त्रिचुर
सहायक आयकर आयुक्त (अपील) कालीकट	आयकर सर्किल, पालघाट आयकर सर्किल 1 और 2, कालीकट आयकर केन्द्रीय सर्किल, कालीकट आयकर सर्किल, कन्नानोर आयकर सर्किल, कायरागोड

आयकर सर्किल, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज में किसी अन्य रेंज का अन्तर्गत हो गया है, अतः उस आयकर सर्किल वार्ड या जिले या उनके भाग में किए गए निर्धारणों में उपर्युक्त होने वाली और उस रेंज के जिले वरिष्ठ आयकर सर्किल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, परन्तु अधिसूक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व लखित आयों उस तारीख में जिस तारीख को यह अधिसूचना प्रभावी होगी है, उस रेंज के, जिसका उस सर्किल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) का अन्तर्गत की जायगी और उसके द्वारा उन पर कार्यवाही की जायगी।

यह अधिसूचना 20-11-80 में प्रभावी होगी।

[सं० 3736 फा०सं० 261/33/80—आई० टी० जे०]

S.O. 1383:—In exercise of the powers conferred by subsection (1) of Section 122 of the Income tax Act 1961 (43 of 1961) and of all other powers enabling it in that behalf and in supersession of all previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Incometax of the Ranges specified in Column No. 1 of the Schedule below shall perform their functions in respect of all persons and incomes assessed to Income tax in the Income tax Circles, Wards and Districts specified in the corresponding entry in Column (2) thereof excluding all persons and incomes assessed to Income tax over which the jurisdiction vests in Commissioner of Income tax (Appeals).

SCHEDULE

Name with Headquarters	Incometax Circles/Wards/Districts.
(1)	(2)
Appellate Assistant Commissioner of Income tax Trivandrum	(1) I. T. Circle, Trivandrum. (2) I. T. Salary Circle Trivandrum. (3) I. T. Central Circle Trivandrum. (4) I. T. Circle, Quilon. (5) I. T. Circle Thiruvalla. (6) I. T. Circle Kottayam. (7) I. T. Circle Alleppey.
Appellate Assistant Commissioner of Incometax Ernakulam.	(1) I. T. Circle Ernakulam. (2) I. T. Companies Circle Ernakulam. (3) I. T. Central Circle Ernakulam. (4) I. T. Special Circle Ernakulam. (5) I. T. Survey Circle Ernakulam. (6) I. T. Salary Circle Ernakulam. (7) I. T. Circle Mattancherry. (8) I. T. Circle Alwaye. (9) Estate duty Circle Ernakulam. (10) Estate duty Circle Trichur. (11) I. T. Circle, Trichur.

(1)	(2)
Appellate Assistant Commissioner of Income-tax Calicut.	I. T. Circle, Palghat. I. T. Circles I & II Calicut. I. T. Central Circle, Calicut. I. T. Circle, Cannanor I. T. Circle, Kasaragod.

2. Whereas the Income tax Circles/Ward/District or part thereof stands transferred by this notification from one Range to another Range appeals arising out of the assessments made in that Income tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of the Range from whom that Income tax Circles, Ward or District or part thereof is transferred shall from the date of this notification takes effect, be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 20-11-80.

[No. 3736/F.No. 261/33/80-ITJ]

नई दिल्ली, 13 नवम्बर, 1980

कां०अं० 1384.—केन्द्रीय प्रत्यक्ष कर बोर्ड, आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सहायक आयकर आयुक्त (अपील), अकोला रेंज, अकोला की अधिकारिता के लिए अधिसूचना सं० 3690 (कां०सं० 261/4/80-आई टी जे) तारीख 7 अक्टूबर, 1980 का निम्नलिखित संशोधन करता है।

2. उक्त अधिसूचना से उपबद्ध अनुसूची में, उसके स्तम्भ 2 के नीचे "सहायक आयकर आयुक्त (अपील), अकोला रेंज" के सामने क्रम सं० 14 से 27 की प्रविष्टियों का लोप किया जाएगा।

3. यह अधिसूचना 1-12-80 से प्रभावी होगी।

[सं० 3737/कां०सं० 261/4/80-आई टी जे]

New Delhi, the 13th November, 1980

S.O. 1384.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendment in the Notification No. 3690 (F. No. 261/4/80-ITJ) dated the 7th October, 1980 for the jurisdiction of the Appellate Assistant Commissioner of Income-tax, Akola Range, Akola.

2. In the schedule appended to the said Notification under Column 2 thereof Entries from serial No. 14 to 27 against 'Appellate Assistant Commissioner of Income-tax, Akola Range' shall be deleted.

3. This Notification shall take effect from 1-12-80.

[No. 3737/F. No. 261/4/80-ITJ]

कां०अं० 1385.—केन्द्रीय प्रत्यक्ष कर बोर्ड, आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस संबंध में सभी पूर्व अधिसूचनाओं को अधि-क्रमित करते हुए, निदेश देता है कि नीचे की अनुसूची के स्तम्भ (1) में 99 GI/80 - 4

निर्दिष्ट रेंजों के सहायक आयकर आयुक्त (अपील) उनके राक्ष (2) की तत्संबन्धी प्रविष्टि में निर्दिष्ट आयकर सर्किलों, वार्डों और जिलों में आयकर से निर्धारित सभी व्यक्तियों और आयों के बारे में आयकर से निर्धारित ऐसे सभी व्यक्तियों और आयों को छोड़कर जिन पर अधिकारिता आयकर आयुक्त (अपील) में निहित है, अपने कृत्यों का पालन करेंगे:—

अनुसूची

क्रम सं०	रेंज और मुख्यालय	आयकर, सर्किल, वार्ड और जिले
1	2	3
1. सहायक आयकर आयुक्त (अपील), नासिक रेंज, नासिक		(1) उस्मानाबाद जिले के सभी वार्ड/जिले (2) धुले जिले के सभी वार्ड/जिले (3) नासिक जिले के सभी वार्ड/जिले
2. सहायक आयकर आयुक्त (अपील), औरंगाबाद रेंज, औरंगाबाद		(1) औरंगाबाद जिले के सभी वार्ड/जिले (2) भिर जिले के सभी वार्ड/सर्किल, (3) जलगांव जिले के सभी वार्ड/सर्किल (4) नान्देड जिले के सभी वार्ड/सर्किल/ (5) परभनी जिले के सभी वार्ड/सर्किल

आयकर सर्किल, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज में किसी अन्य रेंज को अन्तर्गत हो गया है, अतः उस आयकर सर्किल वार्ड या जिले या उसके भाग में किए गए निर्धारणों से उत्पन्न होने वाली और उस रेंज के, जिसमें वह आयकर सर्किल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयकर आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व संज्ञित अपीलें उस तारीख से जिस तारीख को यह अधिसूचना प्रभावी होती है, उस रेंज के, जिसको उक्त सर्किल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) को अन्तर्गत की जाएगी और उनके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 1-12-80 से प्रभावी होगी।

[सं० 3738/का सं० 261/18/80-आई टी जे]

S.O. 1385.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of all the previous notifications in this regard the Central Board of Direct Taxes hereby direct that the Appellate Assistant Commissioner of Income-tax of the Ranges specified in column (1) of the Schedule below shall form their function in respect of all the persons and income assessed to Income-tax in the Income-tax Circle, Wards and Districts specified in the corresponding entry in column (2) thereof excluding all persons and incomes assessed to Income-tax over which the jurisdiction vests in Commissioner of Income-tax (Appeals).

SCHEDULE

Sl No.	Range with Headquarters	Income-tax Circles, Wards and Districts
(1)	(2)	
1. Appellate Assistant Commissioner of Income-tax, Nasik Range, Nasik.		(i) All Wards/Circles in Osmanabad District. (ii) All wards/Circles in Dhule Distts.

1

2

New Delhi, the 6th September, 1980

- (iii) All wards/Circles in Nasik Distts.
2. Appellate Assistant Commissioner of Income-tax, Aurangabad Range, Aurangabad.
- (i) All wards/Circles in Aurangabad Distts.
- (ii) All wards/Circles in Bhir Distts.
- (iii) All wards/Circles in Jalgaon Distts.
- (iv) All wards/Circles in Nanded Distts.
- (v) All wards/Circles in Parbhani Distts.

Whereas the Income-tax Circles, Wards or Districts or part thereof stands transferred by their notification from one Range to another range, Appeals arising out of Assessments made in that Income-tax Circles, Wards or Districts or Part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of Income-tax of the Range from whom the Income-tax Circle, Ward or District or part thereof is transferred shall from the date of this notification take effect be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 1-12-1980.

[No. 3738/F. No. 261/18/80-I T J]

नई दिल्ली, 6 सितम्बर, 1980

का०अ० 1386.—केंद्रीय प्रत्यक्ष कर बोर्ड की अधिसूचना सं० 3627 (फा०सं० 261/20/80—आई टी जे) तारीख 22 अगस्त, 1980 में, सहायक आयकर आयुक्त (अपील), मद्रास और कोयम्बटूर की अधिकारिता के लिए क्रमशः निम्नलिखित जोड़ा जाएगा, और निकाला जाएगा :

- (1) अनुसूची के स्तम्भ 2 के नीचे "सहायक आयकर आयुक्त (अपील) "क" रेंज, मद्रास" प्रविष्टि के सामने से, निम्नलिखित हटा दिया जाएगा :

"क्रम सं० 6 नगर सिकिल-11, मद्रास (सभी अनुभाग)" और विद्यमान प्रविष्टियों को क्रम सं० 1 से 13 के रूप में पुनर्संख्यांकित किया जाएगा ।

- (2) अनुसूची के स्तम्भ 2 के नीचे, सहायक आयकर आयुक्त (अपील), कोयम्बटूर तथा सहायक आयकर आयुक्त (अपील) "ख" रेंज, मद्रास के सामने निम्नलिखित सबों को जोड़ा और हटाया जाएगा :—

जोड़

"सहायक आयकर आयुक्त (अपील), कोयम्बटूर" के सामने आने वाले "क्रम सं० 17 सम्पदा शुल्क तथा आयकर सिकिल, कोयम्बटूर" के पश्चात्—

"18. नगर सिकिल—III, कोयम्बटूर"

"19. विशेष अन्वेषण सिकिल, कोयम्बटूर" शब्दों को जोड़ा जाएगा ।

"सहायक आयकर आयुक्त (अपील) रेंज "ख", मद्रास" के सामने आने वाले "क्रम सं० 10 विशेष अन्वेषण सिकिल, कोयम्बटूर" को हटा दिया जाएगा और विद्यमान प्रविष्टियों को क्रम सं० 1 से 16 के रूप में पुनर्संख्यांकित किया जाएगा ।

यह अधिसूचना, 1-9-1980 से प्रभावी होगी ।

[सं० 3648/फा०सं० 261/20/80—आई टी जे]

S.O. 1386.—In the notification of Central Board of Direct Taxes No. 3627 (F. No. 261/20/80-ITJ) dated the 22nd August, 1980 for the jurisdiction of Appellate Assistant Commissioners of Income-tax, Madras and Coimbatore the following shall be added and deleted respectively :—

1. In the Schedule under col. 2 against the entry 'Appellate Assistant Commissioner of Income-tax 'A' Range, Madras' the following shall be deleted :—

"S. No. 6 City Circle-II, Madras (All Sections)" and the existing entries should be renumbered as S. Nos. 1 to 13.

2. In the Schedule under Col. 2 against the Appellate Assistant Commissioner of Income-tax, Coimbatore and Appellate Assistant Commissioner of Income-tax 'B' Range, Madras the following items shall be added and deleted :

Add

"After item No. 17—Estate Duty Cum Income-tax Circle, Coimbatore" appearing against "Appellate Assistant Commissioner of Income-tax Coimbatore"

"18. City Circle—III, Coimbatore"

"19. Special Investigation Circle, Coimbatore"

Delete

"S. No. 10. Special Investigation Circle, Coimbatore" appearing against "Appellate Assistant Commissioner of Income-tax 'B' Range, Madras" and the existing entries should be renumbered as S. No. 1 to 46.

This notification shall take effect from 1-9-1980.

[No. 3648/F. No. 261/20/80-ITJ]

नई दिल्ली, 30 दिसम्बर, 1980

का०अ० 1387.—केंद्रीय प्रत्यक्ष कर बोर्ड, आयकर अधिनियम, 1961, (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रबल शक्तियों और इस निमित्त उसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए और इस संबंध में सभी पूर्ववर्तन अधिसूचनाओं को अधिकारित करते हुए निर्देश देता है, कि नीचे की अनुसूची के स्तम्भ 1 में विनिर्दिष्ट रेंजों के सहायक आयकर आयुक्त (अपील) उनके स्तम्भ 2 की तत्संबन्धी प्रविष्टि में विनिर्दिष्ट आयकर सिकिलों, वार्डों और जिलों में आयकर से निर्धारित ऐसे व्यक्तियों और आयों से भिन्न जिन पर अधिकारिता आयकर आयुक्त (अपील) में निहित है, सभी व्यक्तियों और आयों के बारे में अपने कृत्यों का पालन करेंगे—

अनुसूची

क्रम सं०	रेंज	आयकर सिकिल/वार्ड/जिला
1	2	3
1	अम्बाला रेंज	ऐसे सभी आयकर सिकिल, वार्ड और जिले जिनके मुख्यालय (1) अम्बाला, (2) करनाल (3) कुश्नोत्र (4) पानीपत (5) शिमला (7) यमुनानगर और (7) सोलन में हैं ।
2.	रोहतक रेंज	ऐसे सभी आयकर सिकिल, वार्ड और जिले जिनके मुख्यालय (1) रोहतक (2) गुडगांव (3) रेवाड़ी (4) भिवानी (5) हिमाल (6) मिरसा (परम्पु तत्कालीन आयकर अधिकारी, नारनौल द्वारा किए गए आदेशों की बाबत अधिकारिता सहायक आयुक्त (अपील) रोहतक रेंज की होगी (7) जीध (8) सोनीपत (9) फरीदाबाद में हैं ।

आयकर सर्किल, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज को अन्तर्गत हो गया है, अथवा, उस आयकर सर्किल, वार्ड या जिले या उसके भाग से किए गए निर्धारणों से उत्पन्न होने वाली और उस रेंज के, जिसमें वह आयकर सर्किल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व संविदा अपीले उस तारीख से जिस तारीख को यह अधिसूचना प्रभावी होती है, उस रेंज के, जिसको उक्त सर्किल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) को अन्तर्गत की जाएगी और उसके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 1-1-1981 से प्रभावी होगी।

[सं० 3781/का०सं० 261/27/80-आई टी जे]
अजय सिंह, अवर सचिव

New Delhi, the 30th December, 1980

S.O. 1387.—In exercise of the powers conferred by Sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of all the previous notifications in this regard, the Central Board of Direct Taxes, hereby directs that Appellate Assistant Commissioner of Income-tax of the Ranges specified in column (1) of the Schedule below, shall perform their functions in respect of all persons and Income assessed to income-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column (2) thereof excluding all persons and incomes assessed to Income-tax over which the jurisdiction vests in Commissioner of Income-tax (Appeals)

SCHEDULE

Sl. Range No.	Income-tax Circles/Wards/Districts
1	2
1. Ambala Range	All Income-tax Circles, Wards and Districts having Headquarters at : (i) Ambala, (ii) Karnal (iii) Kurukshetra, (iv) Panipat, (v) Simla, (vi) Yamunanagar and (vii) Solan
2. Rohtak Range	All Income-tax Circles, Wards and Districts having Headquarters at : (i) Rohtak (ii) Gurgaon (iii) Rowari (iv) Bhiwani (v) Hisar (vi) Sirsa (provided that the jurisdiction in respect of the orders made by the then ITO, Narnaul would also lie with the AAC of Income-tax Rohtak Range) (vii) Jind (viii) Sonapat and (ix) Faridabad

Whereas the Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one Range, to another Range, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of the Range from when that Income-tax Circle, Ward or part thereof is transferred shall from the date this Notification takes effect be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This Notification shall take effect from 1-1-1981.

[No. 3781/F. No. 261/27/80 I T J]
AJAI SINGH, Under Secy.

केन्द्रीय उत्पाद-शुल्क और सीमाशुल्क बोर्ड

नई दिल्ली, 9 मई, 1981

सीमा-शुल्क

का० आ० 1388 :—केन्द्रीय उत्पाद-शुल्क और सीमाशुल्क बोर्ड, सीमाशुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कर्नाटक राज्य में बंगलूर के पास व्हाइटफील्ड को बाण्णागार स्टेशन के रूप में घोषित करता है।

[अधिसूचना सं० 121/का०सं० 473/161/80-सीशु 7]

CENTRAL BOARD OF EXCISE AND CUSTOMS

New Delhi, the 9th May, 1981

CUSTOMS

S.O. 1388.—In exercise of the powers conferred by section 34 of Section 2 of the Customs Act, 1962 (52 of 1962), of Excise and Customs hereby declares Whitefield near Bangalore, in the State of Karnataka, to be a warehousing station.

[Notification No. 121/81-Cus. F. No. 473/161/80-Cus-VII]

का० आ० 1389.—केन्द्रीय उत्पाद-शुल्क और सीमाशुल्क बोर्ड, सीमाशुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, महाराष्ट्र राज्य में नागपुर को बाण्णागार स्टेशन के रूप में घोषित करता है।

[अधिसूचना सं० 122/का० सं० 473/39/81-सीशु 7]

एन० के० कपूर, अवर सचिव

केन्द्रीय उत्पाद-शुल्क और सीमा-शुल्क बोर्ड

S.O. 1389.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares Nagpur city in the State of Maharashtra to be a warehousing station.

[Notification No. 122/81-Cus. F. No. 473/39/81-Cus-VII]

N. K. KAPUR, Under Secy.

केन्द्रीय उत्पाद-शुल्क समाहर्तालय, कानपुर

अधिसूचना सं० 1/1981

कानपुर, 30 मार्च, 1981

का०आ० 1390.—केन्द्रीय उत्पाद-शुल्क नियमावली, 1944 के नियम 56-ग के साथ पठित नियम 5 के अधीन प्रदत्त शक्तियों का प्रयोग करने हेतु मैं एतद्द्वारा केन्द्रीय उत्पाद-शुल्क समाहर्तालय, कानपुर के सभी सदस्य समाहर्ताओं को अपने-अपने क्षेत्राधिकार में मूल विनिर्माताओं को केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के नियम 56-ग में उल्लिखित प्रक्रिया का उपयोग करने हेतु अनुमति प्रदान करने के लिए समाहर्ता की शक्तियों का प्रयोग करने का अधिकार देता हूँ।

[पत्रांक बी-68/8/5/प्रा०/11/81/10874]

जे० रामाकृष्णन, समाहर्ता

CENTRAL EXCISE COLLECTORATE, KANPUR

NOTIFICATION No. 1/1981

Kanpur, 30th March, 1981

S.O. 1390.—In exercise of the powers conferred on me under Rule 56C read with Rule 5 of Central Excise Rules, 1944, I hereby empower all the Assistant Collectors of Central Excise Collectorate, Kanpur to exercise within their respective jurisdiction, the powers of the Collector to grant permission to primary manufacturers to avail of the procedure laid down in Rule 56C of Central Excise Rules, 1944.

[C. No. V68(8)5/T-II/81/10874]

J. RAMAKRISHNAN, Collector

सीमा शुल्क एवं केन्द्रीय उत्पादन शुल्क समाहर्तालय, अहमदाबाद सेन्ट्रल एक्साइज सभन, आकाशवाणी के पास नवरंगपुरा, अहमदाबाद-380009

अहमदाबाद, 1 अप्रैल, 1981

सीमाशुल्क सं० 1/1981

का० आ० 1391.—सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 2 की उप धारा 34 के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए समाहर्ता, केन्द्रीय उत्पाद शुल्क, अहमदाबाद को अहमदाबाद केन्द्रीय उत्पादन शुल्क समाहर्तालय के कार्यक्षेत्र के अन्तर्गत सीमा शुल्क समाहर्ता के रूप में नियुक्त किया गया है। वे एतद्वारा, नीचे की अनुसूची के स्तम्भ 1 में बताये गये अधिकारियों और उनसे उच्च श्रेणी के अधिकारियों को इन शक्तियों को सौंपते हैं। उक्त "उचित अधिकारी" के कार्यों का उल्लेख सीमा शुल्क अधिनियम, 1962 की विभिन्न धाराओं में किया गया है, जो बतायी गयी अनुसूची के संवादी प्रविष्टि के स्तम्भ 2 में दी गई है।

अनुसूची

1	2
सहायक समाहर्ता, केन्द्रीय उत्पादन शुल्क एवं सीमा शुल्क	27(3), 33, 42(2) (एफ), 48, 129(2)
अधीक्षक, सीमा शुल्क एवं केन्द्रीय उत्पादन शुल्क	22(3), 42(2) (डी) (ई), 59(3), 60, 61, 63(2), 64(एफ), 72 (2), 73, 89, 34 (प्रावधान), 35 (प्रावधान), 83, 142(1) (ए)
निरीक्षक, केन्द्रीय उत्पादन एवं सीमा शुल्क	17(1), (3), (4), 18, 19, 21, 30(1) एवं (3), 31(1) ब (2), 32, 34 (किन्तु उक्त शक्तियाँ-प्रावधानों के अन्तर्गत निरीक्षक द्वारा प्रयोग नहीं की जाएगी) 37, 38, 39, 40, 41, 42(1), 45(2), 46, 47, 50, 51, 54, 62, 64(ए) से (ई) तक, 67, 68, 69, 72(1) 77, 79(1), 80, 85, 86(2), 92, 93, 94, 95 (2) ब (3), 97, 113, (क), 115 (डी), 129(1), 144(1), 149

यह अधिसूचना दिनांक 1-4-1981 (पहली अप्रैल उन्नीसै इक्कासी) धर्मात् 31-3-1981 की मध्यरात्री से प्रभावी होगी। अधिसूचना सं० 1/1971 दिनांक 1-4-1971 एतद्वारा रद्द की जाती है।

[सं० VIII/48-14/सी०शु०/तक/81]

CUSTOMS AND CENTRAL EXCISE COLLECTORATE : AHMEDABAD : C. EX BLDG. NR. AIR NAVRANGPORA, AHMEDABAD-380 009

Ahmedabad, the 1st April 1981

Customs No. 1/1981

S.O. 1391.—In exercise of the powers conferred by Sub-Section 34 of Section 2 of the Customs Act, 1962 (52 of 1962), the Collector of Central Excise, Ahmedabad having been appointed as Collector of Customs within the jurisdiction of the Ahmedabad Central Excise Collectorate, hereby assigns to the Officers of and above the rank of the Officers mentioned in Column 1 of the Schedule below, the functions of the "Proper Officer" referred to in the various Sections of the Customs Act, 1962 given in the Corresponding entry in column 2 of the said Schedule.

SCHEDULE

(1)	(2)
Assistant Collector of Central Excise & Customs,	27(3), 33, 42(2) (f), 48, 129(2)
Superintendent of Customs & Central Excise.	22(3), 42(2), (d) (e), 59(3), 60, 61, 63(2), 64(f), 72(2), 73, 89, 34 (Proviso), 35 (Proviso), 83, 142(1)(a).
Inspector of Central Excise & Customs.	17(1) (3) (4), 18, 19, 21, 30(1) (3), 31(1) & (2), 32, 34 (but the powers under the proviso shall not be exercised by the Inspector), 37, 38, 39, 40, 41, 42(1), 45(2), 46, 47, 50, 51, 54, 62, 64(a), to (e), 67, 68, 69, 72(1), 77, 79(1), 80, 85, 86(2), 92, 93, 94, 95(2), & (3), 97, 113(k), 115(d) 129(1), 144(1), 149.

This Notification takes effect from 1-4-1981 (First April 1981), i.e. from the Mid-night of 31-3-1981. Notification No. 1/1971 dated 1-4-1971 is hereby cancelled.

B.V. Kumar, Collector
[No. VIII/48-14/Cus/Tech/81]

सीमा शुल्क सं० 2/1981

का० आ० 1392.—समाहर्ता, केन्द्रीय उत्पादन-शुल्क एवं सीमाशुल्क, अहमदाबाद, एतद्वारा सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 2 की उप-धारा 34 के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए नीचे की अनुसूची के स्तम्भ (2) में बताए गए अधिकारियों और उनसे उच्च श्रेणी के अधिकारियों को इन शक्तियों को सौंपते हैं। उक्त "उचित अधिकारी" के कार्यों का उल्लेख सीमाशुल्क अधिनियम, 1962 (1962 का 52) की विभिन्न धाराओं में किया गया है, जो बताई गई अनुसूची के संवादी प्रविष्टि के स्तम्भ (1) में दी गई है।

अनुसूची

(1)	(2)
(क) धारा 100, 106 और 110	सीमाशुल्क के सभी अधिकारी (किन्तु इन धाराओं के अधीन उक्त शक्तियों का प्रयोग चतुर्थ श्रेणी के अधिकारियों

1	2
(ख) धारा 103	द्वारा नहीं किया जाएगा जहाँ पर निरीक्षक और उनसे उच्च श्रेणी के अधिकारी तैनात हैं । लिपिको और चतुर्थ श्रेणी के अधिकारियों को छोड़कर सीमाशुल्क के सभी अधिकारी ।

यह अधिसूचना 1-4-1981 (पहली अप्रैल उन्नीस सौ इक्कीस) से अर्थात् 31-3-1981 की मध्यरात्रि से प्रभावी होगी । अधिसूचना सं० 6/1971 दिनांक 1-4-1971 एतद्वारा रद्द की जाती है ।

[सं० VIII 48-14/सी०शु०/तक/81]

बी० बी० कुमार, समाहर्ता

CUSTOMS NO. 2/1981

S.O.1392—In exercise of the powers conferred by Sub-section 34 of Section 2 of the Customs Act, 1962 (52 of 1962), the Collector of Central Excise & Customs, Ahmedabad hereby assigns to the officers of and above the rank of the officers mentioned in Column(2) of the Schedule below, the functions of the "Proper Officer" referred to in the various Sections of the Customs Act, 1962 given in the corresponding entry in Column (1) of the said Schedule.

SCHEDULE

(1)	(2)
(a) Section 100, 106 and 110	All Officers of Customs (but the powers under these sections shall not be exercised by class IV Officers where the Officers of and above the rank of Inspector is posted).
(b) Section 103.	All Officers of Customs except Clerks and Class IV Officers.

This Notification takes effect from 1-4-1981 (First April 1981) i.e. from the Midnight of 31-3-1981. Notification No. 6/1971 dated 1-4-1971 is hereby cancelled.

[No. VIII/48-14/Cus/Tecd/81]

B.V. KUMAR, Collector

वाणिज्य मंत्रालय

नई दिल्ली, 16 अप्रैल, 1981

का० आ० 1393—समूची उत्पाद निर्यात विकास प्राधिकरण नियम, 1972 के नियम 3 तथा 4 के साथ पठित समूची उत्पाद निर्यात विकास प्राधिकरण अधिनियम, 1972 (1972 का 13) की धारा 4 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा श्री ए० के० माथुर, सहायक महानिदेशक (एफ० आई० बी०) को श्री ए० एम० मोहाने, उप-महानिदेशक, जहाजरानी, के स्थान पर इस प्राधिकरण के सदस्य के रूप में नियुक्त करती है ।

[फा० सं० 1 एम/12/80-ई०पी० (एग्री०)]

MINISTRY OF COMMERCE

New Delhi, the 16th April, 1981

S.O. 1393—In exercise of the powers conferred by sub-section (3) of Section 4 of the Marine Products Export Development Authority Act, 1972 (13 of 1972), read with rules 3 and 4 of the Marine Products Export Development Authority Rules, 1972, the Central Government hereby appoints Shri S. N. Mathur, Assistant Director General (FIB) vice Shri S. M. Ochaney, Deputy Director General of Shipping as member of the Authority.

[File No. 1M/12/80-EP (Agri.)]

का० आ० 1394—समूची उत्पाद निर्यात विकास प्राधिकरण नियम, 1972 के नियम 3 तथा 4 के साथ पठित समूची उत्पाद निर्यात विकास प्राधिकरण अधिनियम, 1972 (1972 का 13) की धारा 4 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार एतद्वारा श्री ए० जे० एस० सोधी, संयुक्त सचिव, कृषि मंत्रालय को श्रीमती एम० एल० सिंगला, संयुक्त सचिव, कृषि मंत्रालय, के स्थान पर इस प्राधिकरण के सदस्य के रूप में नियुक्त करती है ।

[फा० सं० 1 एम/12/80-ई०पी० (एग्री०)]

राजेंद्र सिंह, अवर सचिव

S.O. 1394—In exercise of the powers conferred by sub-section (3) of Section 4 of the Marine Products Export Development Authority Act, 1972 (13 of 1972) read with rules 3 and 4 of the Marine Products Export Development Authority Rules, 1972 the Central Government hereby appoints Shri A. J. S. Sodhi, Joint Secretary, Ministry of Agriculture vice Smt. S. L. Singla, Joint Secretary, Ministry of Agriculture, as member of Authority.

[File No. 1M/12/80-EP(Agr.)]

RAJINDER SINGH, Under Secy.

(वस्त्र विभाग)

नई दिल्ली, 7 अप्रैल, 1981

का० आ० 1395—केन्द्रीय सरकार एतद्वारा अधिसूचित करती है कि केन्द्रीय रेशम बोर्ड अधिनियम, 1948 (1948 का 61) की धारा 4 की उप-धारा 3 के खण्ड (ग) के अनुमर्ण में लोक सभा ने 27 मार्च, 1981 को श्री बी० श्रीनिवास प्रसाद को श्री एम० बी० चन्द्रशेखर मूर्ति के स्थान पर, जिन्होंने इस बीच त्यागपत्र दे दिया है, केन्द्रीय रेशम बोर्ड के सदस्य के रूप में कार्य करने के लिए निर्वाचित किया है और भारत सरकार, वाणिज्य मंत्रालय की अधिसूचना का० आ० सं० 2115, दिनांक 9 अगस्त, 1980 में निम्नलिखित संशोधन करती है :—

उपर्युक्त अधिसूचना में क्रमांक 2 की प्रविष्टि के स्थान पर निम्नलिखित प्रतिस्थापित किया जायेगा, अर्थात् :—

"2. श्री श्रीनिवास प्रसाद, संसद सदस्य" ।

[फा० सं० 25012/19/78-सिल्क]

एच० बी० सप्तारिषि, उप सचिव

(Department of Textiles)

New Delhi, the 7th April, 1981

S.O. 1395—The Central Government hereby notify that the Lok Sabha has in pursuance of clause (c) of Sub-Section (3) of Section 4 of the Central Silk Board Act, 1948, (61 of 1948), elected Shri V. Srinivasa Prasad on 27th March, 1981 to serve as a Member of the Central Silk Board vice Shri M. V. Chandrashekhara Murthy since resigned and make the following amendment in the Notification of the Government of India in the Ministry of Commerce S.O. No. 2115 dated 9th August, 1980.

In the said notification, for the entry against serial number 2 the following shall be substituted namely :

"2. Shri Srinivasa Prasad, M.P."

[F. No. 25012/19/78-Silk]

L. V. SAPTHARISHI, Dy. Secy.

(मुख्य नियंत्रक, आयात-निर्यात का कार्यालय)

आदेश

नई दिल्ली, 24 अप्रैल, 1981

का० आ० 1396.—सर्वोच्च कोल इंडिया लिमिटेड, 402-404 (चौथी मंजिल), अंसल भवन, 16, कस्तूरबा गांधी मार्ग, नई दिल्ली-110001, को लाइसेंस अधि अधिल, 76—मार्च, 77 के लिए सलमन सूची के अनुसार फिल्म प्रिंट्स के 46 नम और फिल्म स्ट्रिप्स के 5 नम के आयात के लिए केवल 40,642/- रुपये का एक आयात लाइसेंस सं० आई/सी/1075597/आर/के एम/63/एच/43044 दिनांक 11-4-1977 प्रदान किया गया था।

2. अब फर्म ने उपर्युक्त लाइसेंस की मुद्रा विनियम नियंत्रण प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति कलकत्ता सीमा-शुल्क के सीमा-शुल्क प्राधिकारी के पास पंजीकृत कराने के पश्चात् खो गई है और प्रेषण के लिए उसका धिल्लु भी उपयोग नहीं किया गया है। फर्म इस बात से सहमत है और वचन देती है कि यदि बाद में लाइसेंस की मूल मुद्रा-विनियम नियंत्रण प्रयोजन प्रति मिल गई तो इस कार्यालय को रिफाई के लिए लौटा देगी।

3. अपने तर्कों के समर्थन में फर्म ने 1980-81 की आयात-निर्यात क्रियाविधि हैड-बुक के अध्याय-15 के पैरा-352 में अपेक्षित एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस सं० आई/सी/1075597 दिनांक 11-4-77 की मूल-मुद्रा-विनियम नियंत्रण प्रयोजन प्रति खो गई है और निवेश देना है कि आवेदक की लाइसेंस की मुद्रा-विनियम नियंत्रण प्रयोजन प्रति की अनुलिपि प्रति जारी की जाए। लाइसेंस की मूल मुद्रा-विनियम नियंत्रण प्रयोजन प्रति रद्द की जाती है।

4. आयात लाइसेंस की मुद्रा-विनियम नियंत्रण प्रयोजन प्रति की अनुलिपि प्रति भ्रम से जारी की जा रही है।

[सं० पाई फाइल सी/2/76-77/पी एल एम (ए)]

शंकर चन्द, उप-मुख्य नियंत्रक, आयात-निर्यात

कृत मुख्य नियंत्रक, आयात-निर्यात

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 24th April, 1981

S.O. 1356.—M/s. Coal India Limited, 402-404 (4th Floor), Ansal Bhavan, 16, Kasturba Gandhi Marg, New Delhi-110001, were granted an import licence No. I/D/1075597/R/KS/63/H/43-44 dated 11-4-1977 for Rs. 40,642 only for the import of 46 Nos. Film Prints and 5 Nos. Film Strips as per list attached for April, 76—March, 77 licensing period.

2. The firm have now requested for the issue of duplicate copy of Exchange Control Purposes copy of the above licence on the ground that the original Exchange Control Purposes copy has been lost after having been registered with the Customs Authority at Calcutta Customs and not utilized at all for remittance purposes. The firm agrees and undertakes to return the original Exchange Control Purpose copy of the licence if traced later to this office for record.

3. In support of their contention the firm have filed an affidavit as required in Para 352 of Chapter XV of Hand Book of Import-Export Procedure, 1980-81. The undersigned is satisfied that the original Exchange Control Purposes copy of Import Licence No. I/D/1075597 dated 11-4-77 has been lost and directs that duplicate copy of the Exchange Control Purpose copy of the licence may be issued to the applicant. The original Exchange Control Purposes copy of the licence has been cancelled.

4. The duplicate copy of Exchange Control Purposes Copy of the Import licence is being issued separately.

[No. Part File C/2/76-77/PLS(A)]

SHANKAR CHAND, Dy. Chief Controller of

Imports and Exports

For Chief Controller of Imports and Exports

विदेश मंत्रालय

नई दिल्ली, 20 अप्रैल, 1981

का० आ० 1397.—केन्द्रीय पासपोर्ट एवं उत्प्रवासन संगठन के वर्ग III में पदोन्नत होने के बाद अधीक्षक श्री एस० थांगवेलूसामी ने 9-3-1981 के अग्रहण से, तदर्थ आधार पर त्रिवेन्द्रम में जनसम्पर्क अधिकारी के पद का कार्य-भार ग्रहण कर लिया।

उत्प्रवासन अधिनियम, 1922 (1922 का 7) के खंड 3 में निहित शक्तियों का प्रयोग करते हुए केन्द्र सरकार, इसके द्वारा जनसम्पर्क अधिकारी श्री एस० थांगवेलूसामी को, 10-3-81 के पूर्वाह्न से जन सभा अधिकारी श्री ई० राजन के स्थान पर, जिनकी केन्द्रीय पासपोर्ट एवं उत्प्रवासन संगठन के वर्ग II में उसी तारीख से तदर्थ आधार पर पदोन्नति होने पर पासपोर्ट कार्यालय, काजीकोडे में स्थानान्तरण हो गया है, त्रिवेन्द्रम के हवाई-पत्तन के लिए उत्प्रवासन सरदाक के रूप में नियुक्त करती है।

[सं० सी पी ईओ/3/81]

एस० के० वर्मा, अधर सचिव

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 20th April, 1981

S.O. 1397.—Consequent on his promotion to Grade III of the Passport and Emigration Organisation on ad-hoc basis Sh. S. Thangavelusamy, Supdt. assumed charge of the post of Public Relations Officer w.e.f. the afternoon of 9-3-1981 at Trivandrum.

In exercise of the power conferred by Section 3 of the Emigration Act, 1922 (VII of 1922), the Central Government hereby appoints Shri S. Thangavelusamy, P.R.O. to be the Protector of Emigrant the airport of Trivandrum w.e.f. the forenoon of 10-3-81 vice Shri E. Rajan, Public Relations Officer who stands transferred to Passport Office, Kozhikode on his ad-hoc promotion to Grade II of the O.P. and E.O. with effect from the same date.

[No. CPEO/3/81]

S. K. VERMA, Under Secy.

पेट्रोलियम, रसायन और उर्वरक मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 14 अप्रैल, 1981

का० आ० 1398.—यन: पेट्रोलियम और खनिज पादप्लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 2626 तारीख 31-8-80 द्वारा केन्द्रीय सरकार ने उन अधिसूचना से भोजन अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइन लाइसी को बिलाने के प्रयोजन के लिए अर्जित करने का अग्रत आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार की रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एन० द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एन० द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में; सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

एस० एन० एस० से संघाल जी० जी० एस०-] तक पाइप लाइन बिछाने के लिए।

राज्य—गुजरात	जिला - मेहसाना	तालुका - मेहसाना	सर्वे नं०	हेक्टेयर	ए० आर० आई	सेन्टीयर
संघाल	622	0	01	20		
	624	0	09	36		
	635	0	01	32		

[सं० 12016/42/80—प्र०.]

MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZER

(Department of Petroleum)

New Delhi, the 14th April, 1981

S.O. 1398.—Whereas by a notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer, (Department of Petroleum), S.O. 2626 dated 31-8-80 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from SNS to Santhal GGSJ	State : Gujarat	District : Mehsana	Taluka : Mehsana
Village	Survey No.	Hectare	Are Centiare
Santhal	622	0	01 20
	624	0	09 36
	635	0	01 32

[No. 12016/42/80-Prod.]

का० आ० 1399—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 3228 तारीख 31-10-80 द्वारा केन्द्रीय सरकार ने उन अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार की रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एन० द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एन० द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में; सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

खालों 23 से जी० जी० एस० खालों तक पाइप लाइन बिछाने के लिए।

राज्य—गुजरात	जिला :	मेहसाना	तालुका :	कड़ी
गांव	सर्वे नं०	हेक्टेयर	ए० आर० आई	सेन्टीयर
मेरडा	158	0	10	05
	150/1	0	04	00
	124	0	11	30
	149	0	06	45
	148	0	12	45
	135	0	04	50
	146	0	05	50
	145	0	18	00
	144	0	03	00
	76	0	11	40
	77	0	10	50
	78	0	03	75
	80	0	16	50
	193	0	06	00

[सं० 12016/ 60/ 80-प्र०.]

S.O. 1399.—Whereas by a notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer, (Department of Petroleum), S.O. 3228 dated 31-10-80 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline ;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Jhalora—23 to GGS Jhalora

State : Gujarat	District : Mehsana	Taluka - Kadi			
Village	Survey No.	Hectare	Are	Centiare	
Medra	158	0	10	05	
	150/1	0	04	00	
	124	0	11	30	
	149	0	06	45	
	148	0	12	45	
	135	0	04	50	
	146	0	05	50	
	145	0	18	00	
	144	0	03	00	
	76	0	11	40	
	77	0	10	50	
	78	0	03	75	
	80	0	16	50	
	193	0	06	00	

[No. 12016/60/80-Prod.]

नई दिल्ली, 18 अप्रैल, 1981

क्र० आ० 1400 :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम रमयन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना क्र० आ० सं० 3048 तारीख 14-10-80 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः महम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार का रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती

है कि इस अधिसूचना में संलग्न अनुसूची विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वण देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में, विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

बखिणी कडी जी० जी० एम० में जी० आई० डी० सी० कडी तक पाइप लाइन बिछाने के लिए।

राज्य—गुजरात	जिला —	मेहसाणा	तालुका —	कडी
गांव	सर्वे सं०	हेक्टेयर	ए. आर. ई.	सेन्टीयर
कडी	1954	0	02	55
	कार्ट ट्रैक	0	02	25
	1854	0	03	15
	1853	0	00	60

[सं० 12016/50/80-प्र०]

New Delhi, the 18th April, 1981

S.O. 1400.—Whereas by a notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer, (Department of Petroleum), S.O. 3048 dated 14-10-80 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline ;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from South Kadi GGS to GJDC Kadi

State : Gujarat	District : Mehsana	Taluka : Kadi			
Village	Survey No.	Hectare	Are	Centiare	
Kadi	1954	0	02	55	
	Cart track	0	02	25	
	1854	0	03	15	
	1853	0	00	60	

[No. 12016/50/80-Prod.]

क्र० अ० 1401—यत् पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का • प्रा० सं० 3053 तारीख 15-10-80 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यत्: नवम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार का रिपोर्ट दे दी है।

और आगे, यत्: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में; सभी बाधाओं से मुक्त रूप में, बाधना के प्रकाशन की इस तारीख को मिश्रित होगा।

अनुसूची

के-68 से के-78 तक पाइप लाइन बिछाने के लिए।

राज्य गुजरात	जिला	मेहसाना	तालुका	कलोल
गांव	ब्लॉक नं०	हेक्टेयर	ए. घ्रा. ई.	सेन्टीयर
धमासना	761	0	05	55
	762	0	15	00
कार्ट ट्रैक	0	00	50	
	850	0	23	65
	841	0	10	05
कार्ट ट्रैक	0	00	75	
	874	0	08	40
	873	0	06	15
	872	0	06	45
	871	0	06	15
	869	0	03	00

[सं 12016/55/80-प्रो०]

S.O. 1401.—Whereas by a notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer, (Department of Petroleum), S.O. 3053 dated 15-10-80 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

99 GI/81—5

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline From K-68 to K-78

State : Gujarat District : Mehsana Taluka : Kalol

Village	Block No.	Hectare	Are	Centiare
Dhamasana	761	0	05	55
	762	0	15	00
Cart track	0	00	50	
	850	0	23	65
	841	0	10	05
Cart track	0	00	75	
	874	0	08	40
	873	0	06	15
	872	0	06	45
	871	0	06	15
	869	0	03	00

[No. 12016/55/80-Prod.]

क्र० अ० 1402—यत्: केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में ए० एच० एन० से ग्रहमवाबाद-18 तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यत्: यह प्रतीत होता है कि ऐसी पाइपलाइनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में अर्जित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवादी कोई व्यक्ति, उस भूमि के मीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल ब्रांच, मकरपुरा रोड, बडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

ए० एच० एन० से ग्रहमवाबाद 18 तक पाइप लाइन बिछाने के लिए।

राज्य-गुजरात	जिला-ग्रहमवाबाद	तालुका-वसकोई
गांव	सर्वे नं०	हेक्टेयर आर ई सेन्टीयर
हापीजण	55/1	0 02 10
	55/6	0 06 30

[सं 12016/4/81-प्रो०]

S.O. 1402.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from AHN to Ahmedabad-18 in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right for user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390,009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from AHN to Ahmedabad-18.

State : Gujarat District : Ahmedabad Taluka : Dascroi

Village	Survey No.	Hectare	Acre	Centiare
Hathijan	55/1	0	02	10
	55/6	0	06	30

[No. 12016/41/81-Prod.]

नई दिल्ली, 20 अप्रैल, 1981

क्रा० आ० 1403.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का प्रजन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भाग्य सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना क्र० आ० सं० 3041 तारीख 10-10-80 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्विशेष वेदी है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कोमम्बा जी० जी० एम से जंक्सन बिन्दु तक पाइप लाइन बिछाने के लिए

राज्य-गुजरात	जिला-अहमदाबाद	तासुका-दासक्रोड		
गांव	प्लॉट नं०	हेक्टेयर	एकर	सेन्टी-एकर
खरव	430	0	03	25
	431	0	11	96
	432	0	01	95
	433 A	0	12	61
	168	0	21	58
	467	0	04	42
	466 A	0	03	25
	449	0	02	19
	464	0	02	10
	460	0	07	41
	455	0	01	50
	454	0	00	45
	456	0	07	54
	457	0	03	90
	119	0	06	56
	418	0	04	80
	411 A	0	18	07
	413	0	05	98
	207	0	21	58
	208	0	11	31
	210	0	12	74
	226	0	16	25
	225	0	19	50

[सं० 12016/47/80-प्रो०-1]

New Delhi, the 20th April, 1981

S.O. 1403.—Whereas by a notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer, (Department of Petroleum), S.O. 3041 dated 10-10-80 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Kosamba GGS to Junction Point
State : Gujarat District : Bharuch Taluka : Hansot

Village	Block No.	Hect- are	Are	Centi- are
Kharach	430	0	03	25
	431	0	11	96
	432	0	01	95
	433/A	0	12	61
	468	0	21	58
	467	0	04	42
	466/A	0	03	25
	449	0	02	19
	464	0	02	10
	460	0	07	41
	455	0	01	50
	454	0	00	45
	456	0	07	54
	457	0	03	90
	419	0	06	56
	418	0	04	80
	411/A	0	18	07
	413	0	05	98
	207	0	21	58
	208	0	11	31
	210	0	12	74
	226	0	16	25
	225	0	19	50

[No. 12016/47/80-Prod. I]

का० आ० 1404 .—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का धर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 3042 तारीख 10-10-80 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना प्राथम्य घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तब और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में घोषित के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कोसम्बा जी० जी० एम से जंक्शन बिन्दु तक पाइप लाइन बिछाने के लिए।				
राज्य-गुजरात	जिला-सुरत	तामुका-मंगरोल		
गाँव	सर्वे न०	हेक्टेयर	एम्भारई	सेन्टीयर
1	2	3	4	5
कुवरडा	805	0	02	34
	804	0	07	02

1	2	3	4	5
	803	0	18	27
	802	0	00	52
	काट ट्रैक	0	01	17
	808	0	00	25
	809	0	14	69
	811	0	02	73
	810	0	02	08
	798/P	0	21	45

[सं० 12016/47/80-प्रो० II]

टी० एन० परमेश्वरन, अवर सचिव

S.O. 1404.—Whereas by a notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer, (Department of Petroleum), S.O. 3042 dated 10-10-80 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Kosamba GGS to Junction Point
State : Gujarat District : Surat Taluka : Mangrol

Village	Survey No.	Hect- are	Are	Centi- are
Kuvarada	805	0	02	34
	804	0	07	02
	803	0	18	27
	802	0	00	52
	Cert track	0	01	17
	808	0	00	25
	809	0	14	69
	811	0	02	73
	810	0	02	08
	798/P	0	21	45

[No. 12016/47/80—Prod. II]

T. N. Paramaswaran, Under Secy.

नई दिल्ली, 18 अप्रैल, 1981

का० आ० 1405 :—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेवखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, नीचे सारणी के सम्म (1) में उल्लिखित अधिकारी को, जो सरकार के राजपत्रिक अधिकारी के समतुल्य है, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करता है और उक्त अधिकारी उक्त सारणी के सम्म (2) का तत्स्थानी प्रविष्टि में विनिर्दिष्ट सरकारी स्थानों के सम्म में अपना अधिकारिता की स्वामीय सीमाओं के भीतर, उक्त अधिनियम के द्वारा या उसके अधीन सम्पदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेगा।

अधिकारी का पदनाम	सारणी सरकारी स्थानों का प्रबन्ध और अधिकारिता की स्थायी सीमाएं
(1)	(2)
सहायक कार्यपालक अधिकारी इण्डियन ड्रग्स ऐण्ड फार्मास्यु- टिकल्स लिमिटेड, मुजफ्फरपुर	इण्डियन ड्रग्स ऐण्ड फार्मास्युटिकल्स लिमिटेड, मुजफ्फरपुर के प्रशासनिक नियंत्रणाधीन परिसर जो उनकी अधिकारिता के भीतर स्थित है। [सं० एन० 38022(17)/78] बे० राजगोपालन, उप सचिव

New Delhi, the 18th April, 1981

S.O. 1405.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government

hereby appoints the officer mentioned in column (1) of the Table below, being the officer equivalent to the rank of a gazetted officer of Government, to be estate officer for the purposes of the said Act, and the said Officer shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of his jurisdiction in respect of the public premises specified in column (2) of the said Table :

TABLE

Designation of Officer	Categories of public premises and local limits of jurisdiction
1. Assistant Executive Officer, Indian Drugs and Pharmaceuticals Limited, Muzaffarpur.	Premises under the administrative control of the Indian Drugs and Pharmaceuticals Limited, Muzaffarpur, situated within the local limits of their jurisdiction.

[No. L-38022(17)/78]
V. RAJAGOPALAN, Dy. Secy.

ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 6 मार्च, 1981

क्र० आ० 1406.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाययुक्त अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की सम्भावना है :

अतः, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जनशील विकास) अधिनियम, 1937 (1937 का 20) की धारा 4 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए, कोयले का पूर्वेक्षण करने के अपने प्राण्य की सूचना देती है ;

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण सेंट्रल कोलफील्ड्स लिमिटेड के कार्यालय, (राजस्व अनुभाग) दरभंगा हाउस, रांची में या उपायुक्त के कार्यालय गिरिडीह में या उपायुक्त के कार्यालय, हजारी बाग (बिहार) में अथवा कोयला नियंत्रक के कार्यालय, 1 काउन्सिल हाउस स्ट्रीट, कलकत्ता में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में हिनबद्ध सभी व्यक्ति, उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी मन्त्रों, वाटों और अन्य दस्तावेजों को, राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 90 दिन के भीतर राजस्व अधिकारी, सेंट्रल कोलफील्ड्स लिमिटेड, दरभंगा हाउस, रांची, बिहार को भेजेंगे।

अनुसूची

कर्मवी विस्तार

उपग्रामक—I, II, III, IV, V और VI

पूर्वी बोकारो कोयला क्षेत्र

जिला—हजारी बाग और गिरिडीह (बिहार)

रेखाचित्र सं० राजस्व/102/80

मारीख 23-10-1980

(पूर्वेक्षण करने के लिए अधिसूचित मयिया)

उप-लाक—1

क्र० सं०	ग्राम	थाना	थाना सं०	जिला	क्षेत्र	टिप्पणियाँ
1.	बेमों	नबडीह (बेमों)	18	गिरिडीह	—	भाग
2.	जरिडीह	"	19	"	"	"
			योग :—90.00 एकड़ (लगभग)			
			या 36.42 हेक्टर (लगभग)			

सीमा वर्णन :—

क-ख — रेखा ग्राम बेमों के बीच से होकर जाती है।

ख-ग — रेखा ग्राम जरिडीह के बीच से (जो जरंगडीह कोयला खान की खनन पट्टा सीमा भी है) हो कर जाती है।

ग-घ — रेखा ग्राम जरिडीह के बीच से (जो बोकारो कोयला खान के साथ भागिक साक्षी सीमा बनानी है) हो कर जाती है।

घ-क — रेखा रेन अजित भूमि की दक्षिणी सीमा के साथ-साथ हो कर जाती है।

उपब्लाक-II

1. फुल्को	नवडीह (बेर्मा)	67	गिरिडीह	भाग
2. होरी	"	68	"	"
		योग : 180.00 एकड़ (लगभग)		
		या 194.26 हेक्टर (लगभग)		

सीमा वर्णन —

छ-च — रेखा ग्राम फुल्को के बीच से (जो छल्करी कोयला खान विस्तार-II की भागिक साक्षी सीमा बनाती है) होकर जाती है।

च-छ — रेखा ग्राम फुल्को और होरी में दामोदर नदी की भागिक उत्तरी सीमा के (जो दामोदर नदी में कोयला अधिनियम की धारा 9(1) के अधीन अजित क्षेत्र की सामान्य सीमा बनाती है) साथ-साथ होकर जाती है।

छ-ज — रेखा ग्राम होरी और फुल्को के बीच से (जो कोयला अधिनियम की धारा 9(1) के अधीन अजित होरी ब्लॉक के साथ साक्षी सीमा बनाती है) होकर जाती है।

ज-छ — रेखा ग्राम फुल्को के बीच से (जो दक्षिणी सीमा, वर्गवी कोयला खान के साथ साक्षी सीमा बनाती है) होकर जाती है।

उप ब्लाक-III

क्रम सं०	ग्राम	थाना	थाना सं०	जिला	क्षेत्र	टिप्पणियां
1	होरी	नवडीह (बेर्मा)	69	गिरिडीह	भाग	
				कुल क्षेत्र 625.00 एकड़ (लगभग)		
				या 252.93 हेक्टर (लगभग)		

सीमा वर्णन —

झ-स — रेखा ग्राम होरी के बीच से (जो कोयला अधिनियम की धारा 9(1) के अधीन अजित होरी ब्लॉक के साथ साक्षी सीमा बनाती है) होकर जाती है।

झ-ट — रेखा दामोदर नदी की भागिक उत्तरी सीमा के (जो दामोदर नदी में कोयला अधिनियम की धारा 9(1) के अधीन अजित क्षेत्र की साक्षी सीमा बनाती है) साथ-साथ होकर जाती है।

ट-झ-छ — रेखा ग्राम होरी के बीच से (जो होरी कोयला खान के साथ साक्षी सीमा बनाती है) होकर जाती है।

झ-झ — रेखा ग्राम होरी के बीच से (जो वर्गवी कोयला खान के साथ भागिक साक्षी सीमा बनाती है) होकर जाती है।

उपब्लाक-IV

क्रम सं०	ग्राम	थाना	थाना सं०	जिला	क्षेत्र	टिप्पणियां
1.	छल्करी	पेटबर्ग	46	हजारी बाग	भाग	
2.	झुंझकी	"	18	"	"	
				कुल क्षेत्र : 430.00 एकड़ (लगभग)		
				या 174.01 हेक्टर (लगभग)		

सीमा वर्णन —

ह-ण — रेखा ग्राम छल्करी और और झुंझकी के बीच से होकर जाती है।

ण-स — रेखा ग्राम झुंझकी के बीच से होकर जाती है।

न-य — रेखा ग्राम झुंझकी के बीच से (जो कोयला अधिनियम की धारा 9(1) के अधीन अजित झुंझकी ब्लॉक के साथ साक्षी सीमा बनाती है) होकर जाती है।

य-व — रेखा दामोदर नदी की भागिक दक्षिणी सीमा के (जो दामोदर नदी में कोयला अधिनियम की धारा 9(1) के अधीन अजित क्षेत्र की साक्षी सीमा बनाती है) साथ-साथ जाती है।

व-ध — रेखा ग्राम झुंझकी और छल्करी के बीच से (जो छल्करी ब्लॉक विस्तार उपब्लाक -I की भागिक साक्षी सीमा बनाती है) होकर जाती है।

उप ब्लाक-V

क्रम सं०	ग्राम	थाना	थाना सं०	जिला	क्षेत्र	टिप्पणियां
1.	अग्धली	पेटबर्ग	51	हजारी बाग	भाग	
				कुल क्षेत्र : 40.00 एकड़ (लगभग)		
				या 16.19 हेक्टर (लगभग)		

सीमा वर्णन :—

ध-न — रेखा ग्राम भगवती के बीच से (जो कोयला अधिनियम की धारा 9(1) के अधीन अजित भगवती ब्लॉक के साथ साझी सीमा बनाती है) होकर जाती है।

न-फ — रेखा ग्राम भगवती के बीच से होकर जाती है।

फ-ध — रेखा खजो नदी की भागिक बाईं सीमा के (जो खजो नदी से कोयला अधिनियम की धारा 9(1) के अधीन अजित क्षेत्र के साथ साझी सीमा बनाती है) साथ-साथ जाती है।

उप-ब्लॉक—VI

क्रम सं०	ग्राम	थाना	थाना सं०	जिला	क्षेत्र	टिप्पणियां
1.	खेरहो	पेटबेर	50	हजारी बाग		भाग
2	पिच्छरी	"	49	"		"
				कुल क्षेत्र : 1985.00 एकड़ (लगभग)		
				या 803.29 हैक्टर (लगभग)		

सीमा वर्णन —

फ-न — रेखा ग्राम पिच्छरी से बामोदर नदी की भागिक दक्षिणी सीमा के (जो बामोदर नदी से कोयला अधिनियम की धारा 9(1) के अधीन अजित क्षेत्र के साथ भागिक साझी सीमा बनाती है) साथ-साथ जाती है।

ब-न — रेखा ग्राम पिच्छरी और खेरहो से खजो नदी की भागिक बाईं सीमा के (जो खजो नदी से कोयला अधिनियम की धारा 9(1) के अधीन अजित क्षेत्र के साथ भागिक साझी सीमा बनाती है) साथ-साथ जाती है।

ध-म-ध — रेखाएँ ग्राम खेरहो के बीच से होकर जाती हैं।

य-क-ख-ग-

फ — रेखाएँ ग्राम खेरहो और पिच्छरी के बीच से होकर जाती हैं।

[सं० 19(59)/80-सी एल]

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 6th March, 1981

S.O.1406.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule appended hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for Coal therein.

The plan of the area covered by this notification can be inspected at the office of the Central Coalfields Ltd. (Revenue Section), Darbhanga House, Ranchi or at the office of the Deputy Commissioner, Giridih or at the office of the Deputy Commissioner, Hazaribagh (Bihar) or at the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer, Central Coalfields Ltd., Darbhanga House, Ranchi, Bihar, within 9 days from the date of publication of this notification in the official Gazette.

SCHEDULE

Kargali Extension

Sub Block—I, II, III, IV, V and VI.

East Bokaro Coalfield

District—Hazaribagh and Giridih (Bihar)

Drg. No. Rev/102/80

dated 23-10-80

(Lands notified for prospecting)

Sub Block—I

Serial number	Village	Thana	Thana number	District	Area	Remarks
1.	Bermo	Nawadih (Bermo)	18	Giridih		Part
2.	Jaridih	„	19	„		„
Total :— 90.00 acres (approximately)						
or 36.42 Hectares „						

Boundary description:—

- A—B line passes through village Bermo.
 B—C line passes through village Jaridih (which is also the mining lease boundary of Jarangdih colliery).
 C—D line passes through village Jaridih (which forms part common boundary with Bokaro colliery).
 D—A line passes along the Southern boundary of the Railway acquired land.

Sub Block II.

1. Phusro	Nawadih (Bermo)	67	Giridih	Part
2. Dhorhi	„	68	„	„
Total :— 480.00 acres (approximately)				
or 194.26 hectares „				

Boundary description:—

- E—F line passes through village phusro (which forms part common boundary of Chalkari colliery Extension-II).
 F—G line passes along the part northern boundary of Damodar River in villages Phusro and Dhorhi (which forms common boundary of the area acquired U/s 9(1) of the Coal Act in River Damodar).
 G—H line passes through village Dhorhi and Phusro (which forms common boundary with Dhorhi Block acquired U/s 9(1) of the Coal Act).
 H—E line passes through village Phusro (which forms common boundary with southern boundary, Kargali colliery).

Sub Block—III

Serial number	Village	Thana	Thana number	District	Area	Remarks
1.	Dhorhi	Nawadih (Bermo)	68	Giridih		Part
Total area :— 625.00 acres (approximately)						
or 252.93 hectares (approximately)						

Boundary description:—

- I—J line passes through village Dhorhi (which forms common boundary with Dhorhi Block acquired U/s 9(1) of the Coal Act).
 J—K line passes along part northern boundary of Damodar River (which forms common boundary of the area acquired U/s 9(1) of the Coal Act in Damodar River).
 K—L—M lines pass through village Dhorhi (which forms common boundary with Dhorhi colliery).
 M—N Line passes through village Dhorhi (which forms part common boundary with Kargali colliery).

Sub Block IV:—

Serial number	Village	Thana	Thana Number	District	Area	Remarks
1.	Chalkari	Petarbar	46	Harzaribagh		Part
2.	Jhu-jhko	„	48	„		„
Total area:—430.00 acres (approx.)						
or 174.01 hectares „						

Boundary description:—

- N—O line passes through village Chalkari and Jhu-jhko.
 O—P line passes through village Jhu-jhko.

- P—Q line passes through village Jhu-jhko (which forms common boundary with Angwali Block acquired U/s 9(1) of the Coal Act)
- Q—R line passes along part southern boundary of Damodar River (which forms common boundary of the area acquired under section 9(1) of the Coal Act in River Damodar).
- R—N line passes through village Jhu-jhko and Chalkari (which forms part common boundary of Chalkari Block Extension Sub Block-I).

Sub Block -V.

Serial number	village	Thana	Thana number	District	Area	Remarks
1.	Angwali	Petarbar	51	Hazaribagh		Part
Total area :— 40.00 acres (approx.) or 16.19 hectares „						

Boundary description:—

- S—T line passes through village Angwali (which forms common boundary with Angwali Block acquired U/s 9(1) of the Coal Act).
- T—V line passes through village Angwali.
- V—S line passes along part left boundary of Khanjo River (which forms common boundary with the area acquired U/s 9(1) of the Coal Act in River Khanjo).

Sub Block—VI

Serial number	Village	Thana	Thana number	District	Area	Remarks
1.	Kherho	Petarbar	50	Hazaribagh		Part
2.	Pichhri	„	49	„		„
Total area :— 1985.00 acres (approx.) or 803.29 hectares „						

Boundary description:—

- V—W line passes along part southern boundary of Damodar River in village Pichhri (which forms part common boundary with the area acquired U/s 9(1) of the Coal Act in River Damodar).
- W—X line passes along part right boundary of River Khanjo in villages Pichhri and Kherho (which forms part common boundary with the area acquired U/s 9(1) of the Coal Act in River Khanjo).
- X—Y—Z lines pass through village Kherho.
- Z-A/B/C/V lines pass through villages Kherho and Pichhri.

[No. 19(59)/80-CL]

क्रा० आ० 1407 :—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपावद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है,

अतः, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है;

2 इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखाक का निरीक्षण सेंट्रल कोल फील्ड्स लिमिटेड के कार्यालय, (राजस्व अनुभाग), दरभंगा हाउस, रांची में या उपायुक्त के कार्यालय, गिरिडीह (बिहार) में अथवा कोयला निर्यात के कार्यालय 1 काउन्सिल हाउस स्ट्रीट, कलकत्ता में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में हितवद्ध सभी व्यक्ति, उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 दिन के भीतर राजस्व अधिकारी, सेंट्रल कोल फील्ड्स लिमिटेड, दरभंगा हाउस, रांची को भेजेगे।

अनुसूची

कारो ब्लाक विस्तार
पूर्वी बोकारो कोयला क्षेत्र
जिला—गिरिडीह (बिहार)

रेखाक सं० राजस्व/98/80
तारीख 7-10-80
(पूर्वेक्षण करने के लिए अधिसूचित भूमि)

क्रम सं०	ग्राम	थाना	थाना सं०	जिला	क्षेत्र	टिप्पणियाँ
1	2	3	4	5	6	7
1.	बेरमो	नवाडीह (बेरमो)	18	गिरिडीह		भाग

1	2	3	4	5	6	7
2	बैदकारो	नवाडीह (बेर्मो)	20	गिरिडीह		भाग
3	बडकीकुरी	यथोक्त	21	यथोक्त		यथोक्त
4	छाटकीकुरी	यथोक्त	22	यथोक्त		यथोक्त
5	एमलो	यथोक्त	64	यथोक्त		यथोक्त
6	कारो	यथोक्त	65	यथोक्त		यथोक्त
7	कारगली	यथोक्त	66	यथोक्त		यथोक्त

कुल क्षेत्र 2975.00 एकड़ (लगभग)

या 1203.92 हेक्टर (लगभग)

सीमा वर्णन :-

क-ख — रेखा छोट कीकुरी और बेर्मो ग्रामों के बीच से होकर जाती है।

ख-ग — रेखा बेर्मो ग्राम के बीच से होकर जाती है (जो कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन अर्जन नृत्तारों ब्लॉक (उप-ब्लॉक ख) की सामान्य सीमा बनती है)।

ग-घ — रेखा बेर्मो ग्राम के बीच से होकर जाती है (जो कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 की धारा 4(1) के अधीन अधिकृत बोकारो ब्लॉक विस्तार की मानी सीमा बनती है)।

घ-ङ — रेखा बेर्मो और बैदकारो ग्रामों के बीच से होकर जाती है (जो बोकारो कोयला खान की भागिक साझी सीमा बनती है)

ङ-च — रेखा बैदकारो, कारगली, कारो और एमलो ग्रामों के बीच से होकर जाती है (जो कारगली कोयला खान की साझी सीमा बनती है)

च-छ — रेखा एमलो ग्राम के बीच से होकर जाती है।

छ-ज — रेखा कारो और एमलो ग्रामों की भागिक साझी सीमा के साथ-साथ जाती है।

ज-फ — रेखा कारो, बडकीकुरी और छाट की कुटी ग्रामों के बीच से होकर जाती है और आरंभिक बिन्दु 'क' पर मिलती है।

टिप्पण — उम भाग को छोड़ कर जिसको सीमा झ-ड-ड है जिसे सभी अधिकारों के लिए कोयलाधारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन पहले ही अर्जन कर लिया गया था।

[सं० 19(56)/80 सी०एन]

S.O. 1407. —Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the schedule hereto annexed ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein ;

The plan of the area covered by this notification can be inspected in the Office of the Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi, or in the Office of the Deputy Commissioner, Giridih (Bihar), or in the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer, Central Coalfields Limited, Darbhanga House Ranchi, within 90 days from the date of publication of this notification.

SCHEDULE

Karo Block Extn.
East Bokaro Coalfield
(Distt. Giridih (Bihar))

Drg. No. Rev/98/80 Dated 7-10-80
(Lands notified for prospecting).

Sl. No.	Village	Thana	Thana No	District	Area	Remarks
1.	Bermo	Nawadih (Bermo)	18	Giridih		Part
2.	Baidkaro	-do-	20	-do-		-do-
3.	Barkikuri	-do-	21	-do-		-do-
4.	Chhotkikuri	-do-	22	-do-		-do-
5.	Emlo	-do-	64	-do-		-do-
6.	Karo	-do-	65	-do-		-do-
7.	Kargali	-do-	66	-do-		-do-

Total area :- 2975.00 acres (approx).
or 1203.92 hectares (approx.)

Boundary Description:—

A—B line passes through villages Chhotkikuri and Bermo.

B—C line passes through village Bermo (which forms common boundary of New Karo Block (Sub-Block 'B') acquired u/s 9 (1) of Coal Bearing Areas (Acquisition & Development) Act, 1957.

C—D line passes through village Bermo (which forms common boundary of Bokaro (Block Extn. notified u/s 4(1) of Coal Bearing Areas (Acquisition and Development) Act, 1957.

- D—E line passes through villages Bermo and Baidkaro (which forms part common boundary of Bokaro Colliery).
 E—F line passes through villages Baidkaro, Kargali, Karo and Emlo (which forms common boundary of Kargali (Colliery).
 F—G line passes through village Emlo.
 G—H line passes along the part common boundary of villages Karo and Emlo.
 H—A line passes through villages Karo, Barkikuri and Chhotkikuri and meets at starting point 'A'.

Note :— Excluding the portion bounded by I-J-K-L which was acquired earlier u/s 9(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957.

[No. 19(56)/80-CL]

का० आ० 1408—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाखण्ड अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है ;

अतः, केन्द्रीय सरकार, कोयला धारकक्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उसमें कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है ;

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निर्माण केन्द्रीय कोल फील्ड लिमिटेड के कार्यालय, (राजस्व विभाग) दरभंगा हाउस, रांची में या उपाखण्ड के कार्यालय हजारीबाग (बिहार) में या कोयला नियंत्रक के कार्यालय, 1 काउन्सिल हाउस स्ट्रीट, कलकत्ता में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में हितवृद्ध सभी व्यक्ति, उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 दिन के भीतर राज्य अधिकारी, केन्द्रीय कोल फील्ड लिमिटेड, दरभंगा हाउस रांची को भेजेंगे।

अनुसूची
ओरला ब्लाक
(पश्चिमी बोकारो कोलफील्ड)

रेखांक सं० राजस्व/९५/८० तारीख 15-1१-80
 (जिसमें पूर्वक्षण के लिए अधिसूचित
 भूमि दर्शाई है)

क्रम सं०	ग्राम	थाना	जिला	क्षेत्र	टिप्पणी
सं०	थाना	सं०			
1.	ओरला	मांड	128	हजारी बाग	भाग
2.	कूज	"	154	हजारी बाग	"
3.	मुरपा	"	155	हजारी बाग	"
4.	आरा	"	157	हजारी बाग	"

कुल क्षेत्र : 960.00 एकड़ (लगभग)

या 388.49 हैक्टर (लगभग)

सीमा-वर्णन :—

- क-ख-ग— रेखा ग्राम ओरला के बीच से होकर जाती है।
 ग-घ— रेखा ग्राम ओरला और कूज की भागत : साझी सीमा के साथ-साथ जाती है।
 घ-ङ०— रेखा ग्राम कूज के बीच से होकर जाती है।
 ङ०-च— रेखा ग्राम कूज और मुरपा की भागत : साझी सीमा के साथ-साथ जाती है।
 च-छ— रेखा ग्राम मुरपा के बीच से होकर जाती है।
 छ-ज— रेखा ग्राम मुरपा और आरा की भागत : साझी सीमा के साथ-साथ जाती है।
 ज-झ— रेखा ग्राम आरा के बीच से होकर जाती है।
 झ-ञ— रेखा ग्राम आरा के बीच से होकर जाती है जो आरा कोयला खान पट्टाधुनि सीमा की भागत : साझी सीमा बनाती है।
 झ-ट— रेखा ग्राम आरा और मुरपा की भागत : साझी सीमा के साथ-साथ जाती है। जो आरा कोयला खान पट्टा धुनि सीमा की साझी सीमा बनाती है।
 ट-ट-ड— रेखा ग्राम मुरपा के बीच से होकर जाती है जो मुरपा कोयला खान की भागत : साझी सीमा बनाती है।
 ड-ढ— रेखा ग्राम कूज के बीच से होकर जाती है (जो कूज कोयला खान के साथ भागत : साझी सीमा बनाती है)।
 ढ-ण— रेखा ग्राम बनवार और कूज की भागत : साझी सीमा के साथ-साथ जाती है (जो बनवार कोयला खान की साझी सीमा बनाती है)।
 ण-त— रेखा ग्राम बनवार और ओरला की साझी सीमा के साथ-साथ जाती है (जो बनवार कोयला खान की साझी सीमा बनाती है)।
 त-क— रेखा ग्राम टोपा और ओरला की भागत : साझी सीमा के साथ-साथ जाती है और प्राग्गमिक बिन्दु 'क' पर मिलती है।

[सं० 19(61)/८०-सी० पन्ना]

S.O.1439.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the schedule hereto annexed ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein ;

The plan of the area covered by this notification can be inspected in the Office of the Central Coalfields Limited, (Revenue Section), Darbhanga House, Ranchi, or in the Office of the Deputy Commissioner, Hazaribagh (Bihar) or in the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer, Central Coalfields Limited, Darbhanga House, Ranchi, within 90 days from the date of publication of this notification.

SCHEDULE

Orla Block
(West Bokaro Coalfield)
Distt. Hazaribagh

Drg. No. Rev/99/80 dated 15-10-80
(Showing lands notified for
prospecting).

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Orla	Mandu	128	Hazaribagh		Part
2.	Kuju	-do-	154	-do-		-do-
3.	Murpa	-do-	155	-do-		-do-
4.	Ara	-do-	157	-do-		-do-
Total area :—					960.00 acres (approximately) or 388.49 hectares (approximately)	

Boundary description :—

- A—B—C lines pass through village Orla.
 C—D line passes along part common boundary of villages Orla and Kuju.
 D—E line passes through village Kuju.
 E—F line passes along the part common boundary of villages Kuju & Murpa.
 F—G line passes through village Murpa.
 G—H line passes along the part common boundary of villages Murpa & Ara.
 H—I line passes through village Ara.
 I—J line passes through village Ara (which forms part common boundary of Ara Colliery Lease hold boundary)
 J—K line passes along the part common boundary of villages Ara and Murpa (which forms common boundary of Ara Colliery lease hold boundary).
 K—L—M— line passes through village Murpa (which forms part common boundary with Murpa Colliery).
 M—N line passes through village Kuju (which forms part common boundary with Kuju Colliery).
 N—O line passes along the part common boundary of villages Banwar & Kuju (which forms common boundary with Banwar Colliery).
 O—P line passes along the common boundary of villages Banwar & Orla (which forms common boundary with Banwar Colliery).
 P—A line passes along the part common boundary of villages Topa & Orla and meets at starting point 'A'.

[No. 19(61)/80—CL]

का० आ० 1409 :—केन्द्रीय सरकार को यह प्रतीत होता है कि हमसे उपाखण्ड अनुसूची में उल्लिखित भूमि में कोयला अधिप्राप्त किए जाने की संभावना है ;

अतः, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें कोयले का पूर्वोक्षण करने के लिए अपने आशय की सूचना देती है।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण केन्द्रीय कोयला फील्ड लिमिटेड के कार्यालय, (सम्पदा विभाग) दरभंगा हाउस, रांची में या उपयुक्त के कार्यालय, गिरिडीह (बिहार) में या कोयला नियंत्रक के कार्यालय, 1 काउन्सिल हाउस स्ट्रीट, कलकत्ता में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में हितबद्ध सभी व्यक्ति, उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्युक्त सभी नक्शों, चार्टों और अन्य दस्तावेजों को, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 दिन के भीतर राजस्व अधिकारी केन्द्रीय कोयला फील्ड लिमिटेड, दरभंगा हाउस, रांची को भेजेंगे।

अनुसूची

घोरही विस्तार

पूर्वी बांकारी कोयला फील्ड

जिला, गिरिडीह (बिहार)

रेखांक सं० राजस्व/104/80

तारीख 28-10-1980

(जिसमें पूर्वोक्षण के लिए अधिसूचित भूमि दर्शित की गई है)

क्रम सं०	ग्राम	थाना	थाना सं०	जिला	क्षेत्र	टिप्पणियाँ
1	2	3	4	5	6	7
1.	एमला	नवाडीह (बरमो)	64	गिरिडीह		भाग

1	2	3	4	5	6
2. धोरही	नवादीह बरमा	68	गिरिदीह		भाग
3. चपरी	"	73	"		"

कुल क्षेत्र : 850.00 एकड़ (लगभग)

या 343.98 हेक्टेयर (लगभग)

सीमा वर्णन :—

क-ख — रेखा ग्राम एमलो के बीच से होकर जाती है (जो कारो ब्लॉक एक्सटेंशन के साथ साझी सीमा बनाती है)

ख-ग — रेखा ग्राम एमलो के बीच होकर जाती है (जो कारगली कोयला खान के साथ भागतः साझी सीमा बनाती है)।

ग-घ — रेखा ग्राम एमलो और धोरही के बीच से होकर जाती है (जो धोरही कोयला खान के साथ भागतः साझी सीमा बनाती है)।

घ-ङ — रेखा ग्राम धोरही के बीच से होकर जाती है (जो कायला अधिनियम की धारा 9(1) के अधीन अर्जित धोरी (ट) ब्लॉक के साथ भागतः साझी सीमा बनाती है)।

ङ-च — रेखा ग्राम धोरही, एमलो और चपरी के बीच से होकर जाती है।

च-क — रेखा ग्राम चपरी और एमलो के बीच से होकर जाती है।

[सं० 19(62)/80-सी० एल०]

S.O. 1409.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule appended hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the office of the Central Coalfields Ltd. (Revenue Section) Darbhanga House, Ranchi (Bihar) or at the office of the Deputy Commissioner, Giridih (Bihar) or at the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents, referred to in sub-section (7) of section 13 of the said Act, to the Revenue officer, Central Coalfields Ltd, Darbhanga House, Ranchi within 60 days from the date of publication of this notification in the official Gazette.

SCHEDULE

Dhorhi Extension

East Bokaro Coalfield

District Giridih (Bihar)

Drg. No. Rev/104/80 Dated 28-10-80
(Showing lands notified for prospecting).

Sl. No.	Village	Thana	Thana Number	District	Area	Remarks
1. Emlo		Nawadih (Bermo)	64	Giridih		Part
2. Dhorhi		"	68	"		"
3. Chapri		"	73	"		"
Total area:— 850.00 acres (approx)						
or 343.98 hectares "						

Boundary description:—

- A—B line passes through village Emlo (which forms common boundary with Karo Block Extn.)
 B—C line passes through village Emlo (which forms part common boundary with Kargali Colliery).
 C—D line passes through villages Emlo and Dhorhi (which forms part common boundary with Dhorhi colliery).
 D—E line passes through village Dhorhi (which forms part common boundary with Dhorhi (K) Block acquired U/s 9(1) of the Coal Act).
 E—F line passes through villages Dhorhi, Emlo and Chapri.
 F—A line passes through villages Chapri and Emlo.

[No. 19(62)/80—CL]

नई दिल्ली, 23 मार्च, 1981

का० प्रा० 1410.—केन्द्रीय सरकार ने कोयलाधारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) के अधीन भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii) तारीख 25 मार्च 1978 के पृष्ठ 909 पर प्रकाशित भारत सरकार के ऊर्जामंत्रालय (कोयला विभाग) की अधिसूचना सं० का० प्रा० 841, तारीख 8 मार्च, 1978 द्वारा, उस अधिसूचना से संवलन अनुसूची में विनिर्दिष्ट परिशेष की 1000.00 एकड़ (लगभग) या 404.68 हेक्टेयर (लगभग) भूमि में कोयले का पृष्कषण करने के अपने आशय की सूचना दी थी ;

और केन्द्रीय सरकार ने, उक्त अधिनियम की धारा 7 की उपधारा (1) के अधीन, भारत सरकार के उत्कालान, इस्पात, खान और कोयला मंत्रालय की अधिसूचना संख्या सं० का० प्रा० 1249, तारीख 17 अप्रैल, 1980 द्वारा 25 मार्च, 1980 से प्रारम्भ होने वाली एक वर्ष की और अर्वाक्ष की ऐसी अवधि के रूप में विनिर्दिष्ट किया था जिसके अन्तर्गत वह उक्त भूमि को या उस भूमि में या उस पर किसी अधिकार को अर्जित करने के अपने आशय की सूचना दे सकती थी।

और केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि में कोयला अभिप्राप्य है;

अतः, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) द्वारा प्रवर्त शक्तियों का प्रयोग करते हुए, इससे संबंधित अनुगृही में वर्णित 1000.00 एकड़ (लगभग) या 404.68 हेक्टर (लगभग) उक्त भूमि को अर्जित करने के लिए अपने आशय की सूचना देती है।

टिप्पणी 1:—इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक का निरीक्षण उपायुक्त, रांची (बिहार) के कार्यालय में या कोयला नियंत्रक, के 1, काउंसिल हाउस स्ट्रीट कलकत्ता स्थिति कार्यालय में या केन्द्रीय कोलफील्ड लिमिटेड (राजस्व अनुभाग), के घरभंगा हाउस, रांची (बिहार) स्थित कार्यालय में किया जा सकता है।

टिप्पणी 2:—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबन्धों की ओर ध्यान आकषिप्त कराया जाता है, जिससे निम्नलिखित उपबन्धित हैं:—

“8(1) कोई व्यक्ति, जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितवद्ध है, अधिसूचना के निकालने से सीम दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या उस भूमि में या उस पर किन्हीं अधिकार का अर्जन किया जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण:—इस धारा के अन्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियण करना चाहता है और ऐसी सक्रियण केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) उपधारा (1) के अन्तर्गत प्रत्येक आपत्ति समस्त प्राधिकारी को लिखित रूप में की जाएगी और समस्त प्राधिकारी आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसा सभी आपत्तियों को सुनने के पश्चात् और ऐसी अनिश्चित जांच, यदि कोई है, करने के पश्चात् जो वह प्रावश्यक समझता है वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या किसी ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के सम्बन्ध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितवद्ध समझा जाएगा जो, यदि भूमि या उस भूमि में या उस पर अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाने से प्रतिफल में हित का दावा करने का हकदार होता है।”

टिप्पणी 3:—केन्द्रीय सरकार ने कोयला नियंत्रक, 1 काउंसिल हाउस स्ट्रीट, कलकत्ता-1 को अधिनियम के अधीन समस्त प्राधिकारों के रूप में नियुक्त किया है।

अनुसूची
चूरी एकसंदेशन ब्लॉक
(उत्तरी कारनपुरा कोलफील्ड)

रेखांकित सं० राजस्व/129/80

तारीख 24-12-80

(जिसमें अर्जित की जाने वाली भूमि दर्शित है)

सभी अधिकार

क्रम सं०	ग्राम	थाना	थाना संख्या	जिला	क्षेत्रफल	टिप्पण
1		अरमू	16	रांची	1000.00 एकड़	भाग
						कुल क्षेत्रफल:—1000.00 एकड़ (लगभग) या 404.68 हेक्टर (लगभग)

ग्राम चूरी में अर्जित किए जाने वाले प्लॉटों के संख्यांक:—

1(भाग), 2, 3, (भाग) 4, 16 (भाग), 29 (भाग), 30 से 52, 53 (भाग) 70(भाग), 85(भाग), 99(भाग), 100 से 114, 115(भाग), 116(भाग), 117, 118(भाग), 137(भाग), 138(भाग), 139 से 143, 144(भाग), 145 (भाग), 146(भाग), 153, (भाग), 155(भाग), 156 से 159 160(भाग) 161(भाग), 162 से 166, 167(भाग), 211(भाग), 212(भाग), 1304, 1315, 1316, और 1317,

सीमा वर्णन:—

क-ख — रेखा ग्राम चूरी के प्लाट संख्यांक 212, 211 और 167 से होकर जाती है (जो मन्की कोयला खान की भागत: सामान्य सीमा बनाती है)।

ग-घ — रेखा ग्राम चूरी के प्लाट संख्यांक 167, 138, 137, 138, 144, 145, 146, 153, 155, 160, 161, 160, 167, 115, 115, 116, 118, से होकर जाती है (जो चूरी कोयला खान की भागत: सामान्य सीमा बनाती है)।

घ-ङ — रेखा साफी नदी की भागत: केन्द्रीय रेखा से (जो ग्राम चूरी और रेखा रे और बचरा की भागत: सामान्य सीमा भी है) होकर जाती है।

ड-च — रेखा ग्राम चूरी के प्लाट संख्यांक 99, 85, 29, 70, 53, 29, 16 3 और 1 से होकर जाती है (जो रे कोयला खान की भागत: सामान्य सीमा भी बनाती है)।

च-क — रेखा नदी बामोदर या वेवन्द की भागत: केन्द्रीय रेखा के साथ-साथ जाती है (जो हजारी बाग और रांची की जिला सीमा की भागत: सीमा भी है)।”

[सं० 19(7)/80-सी ०एल०]

स्वर्ण सिंह, प्रवर सचिव।

New Delhi, the 23rd March, 1981

S.O.1410—Whereas by the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O. 841 dated the 8th March, 1978 published in the Gazette of India, Part II Section 3, Sub-Section (ii) dated the 25th March, 1978 at pages 909-910 under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intension to prospect for coal in the lands measuring 1000.00 acres (approximately) or 404.68 hectares (approximately) in the locality specified in the Schedule appended to that notification ;

And whereas by the notification of the Government of India in the Ministry of Steel, Mines & Coal (Department of Coal) No. S.O. 1249 dated the 17th April, 1980, under sub-section (1) of section 7 of the said Act, the Central Government specified a further period of one year commencing from the 25th March, 1980, as the period within which the Central Government may give notice of its intention to acquire the said lands or any rights in or over such lands ;

And whereas the Central Government is satisfied that coal is obtainable in the said lands ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to acquire the said lands measuring 1000.00 acres (approximately) or 404.68 hectares (approximately), described in the schedule appended hereto ;

Note 1. The Plan of the area covered by this notification may be inspected in the office of the Deputy Commissioner, Ranchi (Bihar) or in the Office of the Coal Controller, 1, Council House Street, Calcutta-1 or in the Office of the Central Coalfields Ltd., (Revenue Section), Darbhanga House, Ranchi, (Bihar).

Note 2. Attention is hereby invited to the provisions of section 8 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), which provides as follows:—

“8 (1) Any person interested in any land in respect of which a notification under section 7 has been issued may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or of any rights in or over such land.

Explanation:— It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.

(3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.

Note 3. The Coal Controller, 1, Council House Street, Calcutta-1, has been appointed by the Central Government as the competent authority under the Act.

SCHEDULE

Churi Extension Block
(North Karanpura Coalfield)

Drawing number Rev/129/80

Dated—14-12-80.

(Showing lands to be acquired)

All rights					
Sl. No.	Village	Thana	Thana No.	District	Area
1.	Churi	Burmu	16	Ranchi	1000.00 acres
				Total area :—	1000.00 acres (approximately) or 404.68 hectares (approximately)

Plot numbers to be acquired in village Churi:—1(Part), 2, 3(Part), 4, 16(Part), 29(Part), 30 to 52, 53(Part), 70(Part), 85(Part), 99(Part), 100 to 114, 115(Part), 116(Part), 117, 118(Part), 137(Part), 138(Part), 139 to 143, 144(Part), 145(Part), 146(Part), 153(Part), 155(Part), 156 to 159, 160(Part), 161(Part), 162 to 166, 167 (Part), 211 (Part), 212(Part), 1304, 1315, 1316 and 1317.

Boundary description:—

A—B	line passes through plot numbers 212, 211 & 167 in village Churi (which form part common boundary with Manki Colliery).
B—C—D	lines pass through plot numbers 167, 138, 137, 138, 144, 145, 146, 153, 155, 160, 161, 160, 167, 115, 116, 118 in village Churi (which form part common boundary with Churi Colliery).
D—E	line passes along the part Central line of Saphi Nadi (which is also part common boundary with villages Churi & Ray and Churi & Bachra).
E—F	line passes through plot numbers 99, 85, 29, 70, 53, 29, 16, 3 and 1 in village Churi (which forms part common boundary with Ray Colliery).
F—A	line passes along the part Central line of River Damodar or Deoned (which is also the part of district boundary of P.L. Zila bagh and Ranchi).

[No. 19(7)/80—C.L.]

SWARAN SINGH, Under Secy.

इस्पात और खान मंत्रालय

(इस्पात विभाग)

नई दिल्ली, 22 अप्रैल, 1981

का०आ० 1411.—केन्द्रीय सरकार, इंडियन आयरन एण्ड स्टील कंपनी (शेयरों का अधिग्रहण) अधिनियम, 1976 (1976 का 89) की धारा-5 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा कलकत्ता के लोहा और इस्पात नियंत्रक के कार्यालय के लोहा और इस्पात महायुक्त नियंत्रक श्री मिश्री एच मेग्गिन को 28 फरवरी, 1981 के अपराहन से महायुक्त संवाय आयुक्त नियुक्त करती है। यह नियुक्ति श्री विमलेन्दु कर के सेवा-निवृत्त हो जाने से हुए रिक्त पद पर की गई है।

[फा० सं० 8(108)/76-KI(i)]

ने० बा० नायर, उप मन्त्रि

MINISTRY OF STEEL AND MINES

(Department of Steel)

New Delhi, the 22nd April, 1981

S.O. 1411.—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Iron and Steel Company (Acquisition of Shares) Act, 1976 (89 of 1976), the Central Government hereby appoints with effect from the 28th February 1981 (Afternoon) Shri Sydnev H. Meginn Assistant Iron and Steel Controller in the Office of the Iron and Steel Controller, Calcutta, as Assistant Commissioner of Payments in place of Shri Bimalendu Kar, retired.

[F. No. 8(108)/76-KI(i)]

T. V. NAYAR, Dy. Secy.

पर्यटन और नागर विमानन मंत्रालय

नई दिल्ली, 24 अप्रैल, 1981

का०आ० 1412.—केन्द्रीय सरकार राजभाषा (संघ के सरकारी प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में एतद्वारा पर्यटन और नागर विमानन मंत्रालय के निम्नलिखित कार्यालयों को, उनके कर्मचारीवृत्त ने हिन्दी का कार्यसूचक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:—

1. दिल्ली एयरपोर्ट, पालम,
भारत अन्तरराष्ट्रीय विमानपत्तन प्राधिकरण,
नई दिल्ली।
2. बम्बई एयरपोर्ट,
भारत अन्तरराष्ट्रीय विमानपत्तन प्राधिकरण
बम्बई।

[सं० ई-11011/10/70-हिन्द.]

अन्तरमणि अन्तर्ज्ये, संयुक्त मन्त्रि

MINISTRY OF TOURISM AND CIVIL AVIATION

New Delhi, the 24th April, 1981

S.O. 1412.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (Use for the Official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Ministry of Tourism and Civil Aviation, the staff whereof have acquired the working knowledge of Hindi:—

1. International Airports Authority of India,
Delhi Airport, Palam
New Delhi.
2. International Airports Authority of India,
Bombay Airport,
Bombay.

[No. E-11011/10/76-Hindi]

C. M. CHATURVEDI, H. Secy.

संचार मंत्रालय

(डाक-तार बोर्ड)

नई दिल्ली, 28 अप्रैल, 1981

का०आ० 1413.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने उसूर टेलीफोन केन्द्र में दिनांक 16-5-81 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[सं० 5-4/81-पीएचबी]

MINISTRY OF COMMUNICATIONS

(P&T Board)

New Delhi, the 28th April, 1981

S.O. 1413.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 16-5-1981 as the date on which the Measured Rate System will be introduced in Ussoor Telephone Exchange, Tamil Nadu Circle.

[No. 5-4/81-PHB]

नई दिल्ली, 29 अप्रैल, 1981

का०आ० 1414.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने येरकाड वेमबेडीथलम टेलीफोन केन्द्र में दिनांक 16-5-81 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[सं० 5-4/81-पीएचबी]

New Delhi, the 29th April, 1981

S.O. 1414.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 16-5-1981 as the date on which the Measured Rate System will be introduced in Yercaud and Vembadithalam Telephone Exchange, Tamil Nadu Circle.

[No. 5-4/81-PHB]

का०आ० 1415.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने मोडाकुरिची टेलीफोन केन्द्र में दिनांक 16-5-81 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[सं० 5-4/81-पीएचबी]

S.O. 1415.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 16-5-1981 as the date on which the Measured Rate System will be introduced in Modakkurichi Telephone Exchange, Tamil Nadu Circle.

[No. 5-4/81-PHB]

का०आ० 1416.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने मुतूर, कानगाड मयप्पुल्लि, थेंवय, त्रयम आलवूर, मंगलमडम टेलीफोन केन्द्र में दिनांक 16-5-81 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[सं० 5-11/81-पीएचबी]

आ० सं० कटारिया, महायुक्त महानिदेशक (पीएचबी)

S.O. 1416.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 16-5-1981 as the date on which the Measured Rate System will be introduced in Mundur, Kongad, Elepully, Velan Thavalam, Alathur, Mangalam Dam Telephone Exchange, Kerala Circle.

[No. 5-11/81-PHB]

R C. KATARIA, Assit. Dir. Gen.(PHB)

अभ्य मंत्रालय

जयेश

नई दिल्ली, 13 मार्च 1981

क्र.सं. 1417.—केन्द्रीय सरकार की राय है कि हमसे उपाखण्ड अनुसूची में विनिर्दिष्ट निर्णय के बारे में सिंगरेनी कोलियरीज कम्पनी लिमिटेड, बेलम्पल्लि डिविजन II, जिला आदिलाबाद, आन्ध्र प्रदेश के प्रबन्धन में सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के लिए निर्दिष्ट करना वांछनीय समझती है ; अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके गीठानीन अधिकारी श्री बी नारायण राव हाने जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णय के लिए निर्दिष्ट करती है।

अनुसूची

ध्या मंडल अध्यक्ष, बेलम्पल्लि, डिविजन II, सिंगरेनी कोलियरीज कम्पनी लि. बेलम्पल्लि (डाकघर), जिला आदिलाबाद के प्रबन्धन की सर्वश्री मन्ना नारायण, 2 नन्दि किन्दा रेड्डी 3 मुन्नायु नरमय्या 4. दिसेति रामूलु, 5. टेक्कल मुथ्यालु 6. कट्टा राय मुल्लु, 7. दुरसेति रायलिंगु, 8. शकर नरमय्या 9. गोडलि बालय्या 10. भवु राजनरमु, 11. लेता गोंडि, 12. गोवि राजमोमिली, 13. सुदिवेनी कोमारय्याह और 14. एल. गुरुय्या कोयला काटने वाले मजदूरों को पहली जनवरी, 1974 से पहली जनवरी, 1979 तक वार्षिक वेतन वृद्धि संशुद्ध करने की कार्रवाई न्यायोचित है ? यदि नहीं तो सम्प्रतिन कर्मकार किए अनुतोष के हकदार हैं ?

[सं. एल. 5-21011/13/80-डी-4 (ब)]

MINISTRY OF LABOUR

ORDER

New Delhi, the 13th March, 1981

S.O. 1417.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company Limited, Belampalli Division II, Adilabad District, Andhra Pradesh and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication ;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes in Industrial Tribunal of which Shri V. Neeladri Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of Divisional Superintendent, Belampalli Division II, Singareni Collieries Company Limited, Belampalli (Post Office), Adilabad District in not granting the annual increments to S/Shri Matcha Narayana, 2. Nathidi Kista Reddy, 3. Gundarapu Narsaiah, 4. Disetti Ramuloo, 5. Tekkula Muthyalu, 6. Katta Rayamullu, 7. Dursetti Rayalingu, 8. Shankari Narsaiah, 9. Godeli Balajah, 10. Bhadraru Rajanarsu, 11. Letha Mondli, 12. Goli Raja Mogilli, 13. Midiveni Komaraiah and 14. L. Guuviah, Coal Cutters from 1-1-1974 to 1-1-1979 is justified ? If not, to what relief are the concerned workmen entitled ?"

[No. L-21011(13)/80-D.IV(B)]

New Delhi, the 25th April, 1981

S.O. 1418.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Mithani Colliery of Sitarampur Sub-Area, ECL, P.O. Sitarampur, Distt. Burdwan and their workmen, which was received by the Central Government on the 22-4-1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 83/80

PRESENT :

Shri J. N. Singh, Presiding Officer.

PARTIES :

Employers in relation to the management of Mithani Colliery of Sitarampur Sub-Area, Eastern Coalfields Ltd., P.O. Sitarampur, Distt. Burdwan.

AND

Their workmen.

APPEARANCES :

For the Employers—None

For the Workmen—None

INDUSTRY : Coal

STATE : West Bengal

Dated, the 15th April, 1981

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/S 10(1)(d) of the Industrial Disputes Act, 14 of 1947 have referred the following dispute to the Central Government Industrial Tribunal-cum-Labour Court, Calcutta by their Order No. L-19012(70)/77-D.IV(B) dated 24-4-79 which was transferred to this Tribunal subsequently by their Order No. S-11025 (4)/80-D.IV(B) dated 14th/17th November, 1980 for adjudication.

SCHEDULE

"Whether the demand of the Colliery Mazdoor Congress that the following six persons should be made permanent as underground trammers by the management of Mithani Colliery of Sitarampur Sub-Area, Eastern Coalfields Ltd., is justified :—

- (1) Shri Chandwa Kewat
- (2) Shri Jagadish Kewat
- (3) Shri Kishnu Paswan
- (4) Shri Sarjoo Kewat
- (5) Shri Sanga Kewat
- (6) Shri Partoo Paswan

If so, to what relief are they entitled and from what date ?"

2. It appears that inspite of service of notice issued twice from this Court and once from the transferor Court, the union did not appear to contest this case. The employers

filed a written statement but they were also not present on the last date of hearing inspite of service of notice. From the written statement filed on behalf of the management it appears that all the concerned workmen have been employed in different posts by the management with effect from 1-1-79 and according to the management as there was no vacancy for the post of trammers, hence they were employed in different posts from the date as mentioned above.

3. It appears that as the concerned workmen have got employment under the management in some capacity or other, they are not interested in the reference and are not coming to contest it. The union is also not taking any interest.

4. In the circumstances, a 'no dispute' award is passed in this case.

J. N. SINGH, Presiding Officer
[No. L-19012(70)/77-D.IV(B)]

New Delhi, the 28th April, 1981

S.O. 1419.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Bombay, in the industrial dispute between the employers in relation to the management of M/s. Sillewara Colliery of Sillewara Project of Western Coalfields Ltd., Nagpur and their workmen which was received by the Central Government on the 24-4-1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY
CAMP, NAGPUR

PRESENT :

Shri P. Ramakrishna, Presiding Officer
Reference No. CGIT-2/33 of 1980

PARTIES :

Employers in relation to the management of M/s. Sillewara Colliery of Sillewara Project of Western Coalfields Limited, Nagpur.

AND

Their workmen

APPEARANCES :

For the Employers—Shri N. D. Salimuddin, Sr. Personnel Officer, Western Coalfields Ltd., Sillewara Project.

For the Workman—Shri R. K. Saxena, Secretary, Koyla Khan Karmachari Sangh.

INDUSTRY : Mining STATE : Maharashtra
Bombay, dated the 6th April, 1981

AWARD

The Government of India in the Ministry of Labour acting under Section 10(1)(d) of the Industrial Disputes Act, 14 of 1947 have referred the following industrial dispute for adjudication as per their order No. L-18011(2)/77-D.IV(B); dated 14-10-1977;

"Whether the action of the management of Sillewara Colliery of Western Coalfields Limited in terminating the services of Shri Ramchand Tukaram, Blacksmith Helper from 27th March, 1977 is justified? If not, to what relief is the concerned workman entitled?"

The Koyla Khan/Khadan Karmachari Sangh who have espoused the cause of the workman herein have filed a claim statement pleading that the workman herein was recruited as a Miscellaneous Mazdoor in category I w.e.f. 14-2-1969 and later promoted to category II as a Hammar Man. He was posted to work in the Blacksmithy shop.

Though his designation was Hammar Man, he was actually working as a Blacksmith, which is a post in category IV/V. Because of this he was also redesignated as Blacksmith helper. From 14-2-77 to 21-2-77 he went on leave on medical grounds. When he reported himself for duty on 22-2-77 with a certificate of fitness issued by a medical Officer he was served with an order of transfer dated 21-2-77 directing him to work underground. He questions the order on the ground that the post of Blacksmith Helper is available only on the surface where there are Blacksmith shops and not underground. He acquainted the Engineer F & M about the correct position and the latter promised to look into the matter. But to the workman's surprise he received a notice dated 12-3-77 saying that he was absenting himself from duty from 22-2-77 without permission. He submitted an appropriate reply on 17-3-77. The management issued the notice dated 24-3-77 informing him that if he did not report for duty in terms of the transfer order within 3 days from the receipt of that notice, his services would automatically stand terminated without further notice. The workman submits that the procedure followed by the management in terminating his service is irregular. According to him the management should have taken disciplinary action for disobedience of the orders of transfer and tried him departmentally instead of adopting a short-cut to get rid of him. He prays for reinstatement with continuity of service and back wages.

The management in their written statement deny the workman's claim that he was working as a Blacksmith though his designation was a Helper. They say that the post of Helper is available underground as well as on the surface and that the services of a Helper could be utilised in several way. They submit that the transfer of the workman underground was made in the interests of administration and the workman cannot be allowed to flout the same. They contend that under Rule 10(e) of the standing orders the workman lost his lien on the job on account of his continued absence from duty after the expiry of his leave on 26-2-77. However they state that they are always willing to take a sympathetic attitude towards the workman and are also willing to abide by any reasonable direction that may be given by this Tribunal having regard to the facts and circumstances of the case.

This case which was originally on the file of Central Government Industrial Tribunal No. 1, has been transferred to this Court for disposal as per the Ministry's order dated 8-5-80.

On 6-4-81 the workman represented by Shri R. K. Saxena, Secretary, Koyla Khadan Karmachari Sangh and the management through the Senior Personnel Officer Shri Md. Salimuddin appeared and filed a memo of settlement praying the Court to pass an award in terms thereof. This settlement purports to have been signed by the workmen also. Since the Secretary of the Union which has espoused the cause of the workman has admitted the terms of settlement and requested this Court to dispose of this dispute in terms thereof, the presence of the workman has not been insisted upon.

Having regard to the facts of the present case, I hold that the terms of the settlement are fair and beneficial to the workman. The settlement is therefore recorded.

In the result this reference is answered in terms of the memo of settlement a copy of which is appended hereto. The said memo of settlement may be read as part of this award.

P. RAMAKRISHNA, Presiding Officer

BEFORE THE HON'BLE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

Case No. CGIT-2/33 of 1980 (Old Ref. No; CGIT 20 of 1977)

Between the Employers in relation to Sillewara Colliery
AND

Their workmen

That in the aforesaid matter, after filing the written statements the applicants and Non-applicants, jointly, have to submit that the parties have again mutually discussed this

Issue and after prolonged discussions the applicants and the Non-applicants have arrived at a mutual settlement on the following terms and conditions :

1. That the Management of Silewara Colliery will take Shri Ramchandra Son of Tukaram back in employment on the same category and the designation as he was having at the time of his termination from the services of Silewara Colliery and will be employed in underground.
2. That Shri Ramchandra Son of Tukaram will report for duty to the Colliery Manager, Silewara for Underground duties, as ordered vide Office order No. SPM(E&M)/77/22-24 dated 22-2-77 within one week of the receipt of the award by CGIT in terms of this settlement.
3. That the entire period of Sri Ramchandra Son of Tukaram's from 27-3-77 till the date of award by CGIT in terms of this settlement will be treated as NO WORK NO PAY.
4. That for the purpose of promotion in the next higher category the job seniority will be maintained for the period of this absence. This will also hold good for the purpose of gratuity.
5. That the management agrees to pay a sum of Rs. 2100 (Rs. Two thousand one hundred only) as an ex-gratia payment to Sri Ramchandra Son of Tukaram within fifteen days from the receipt of the award by CGIT in terms of this settlement.
6. That this settles all the disputes between the applicants and the non-applicants as referred by the Govt. of India to this Hon'ble Tribunal under reference No. 20 of 1977 and Koyla Khadan Karmachari Sangh will have no Claim/dispute of any type, whatsoever, in this connection in future.
7. That both the parties agreed that this settlement will be submitted to this Hon'ble Tribunal, Bombay with the prayer to give an award in terms of this settlement.
8. That this settlement will come into effect within one week of receipt of award by CGIT in terms of this settlement.

That both the parties, therefore, in this dispute pray the Hon'ble Presiding Officer, CGIT, Bombay that an award in terms of this mutual settlement be given.

Bombay, Camp. Nagpur
Dt. 6th April, 1981

For Non-applicants :
Employer

1. (S. R. BASU)
Sub Area Manager (K&S)
Dy. Chief Mining Engineer,
Silewara Project.

2. (MD. SALIMUDDIN)
Sr. Personnel Officer,
Silewara Project
For Applicants ;
Union and Workman

1. (R. K. SAXENA)
Complainant/
Secretary,

Koyla Khadan Karmachari
Sangh

2 (RAMCHANDRA Son of
TUKARAM)
Workman.

Witnesses :

(1) (V. P. PRASAD)
(2) (S. J. RAGASHE)

[No. L-18011(e)/77-D.IV(B)]
S. S. MEHTA, Desk Officer

आदेश

नई दिल्ली, 19 मार्च, 1981

का०भा० 1420 :—केन्द्रीय सरकार की यह राय है कि इससे उपाखण्ड अनुसूची में विनिर्दिष्ट विषय के बारे में, मैसर्स एसोसिएटेड सीमेंट कम्पनी लिमिटेड मुख्यालय, मुम्बई के प्रबन्ध मंडल से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों जिनका प्रतिनिधित्व (i) इंडियन नेशनल सीमेंट एण्ड एलाइड वर्क्स फेडरेशन, मुम्बई और (ii) आल इंडिया सीमेंट वर्क्स फेडरेशन, अम्मासन्द्रा (कर्नाटक) द्वारा किया जा रहा है, के बीच विद्यमान है ;

और उक्त विवाद में राष्ट्रीय महत्व का प्रश्न अन्तर्बलित है तथा वह ऐसी प्रकृति का है कि उसमें एक से अधिक राज्यों में स्थित मैसर्स एसोसिएटेड सीमेंट कम्पनीज, लिमिटेड के औद्योगिक स्थापनों के हितवद्ध होने की, उससे प्रभावित होने की सम्भावना है ;

और केन्द्रीय सरकार की यह राय है कि उक्त विवाद को राष्ट्रीय औद्योगिक अधिकरण द्वारा न्यायनिर्णय किया जाना चाहिए ;

अतः केन्द्रीय सरकार,

(i) औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 7ख द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, एक राष्ट्रीय औद्योगिक अधिकरण गठित करती है और श्री चिन्तामन तुकाराम दिवे को उसके पीडीसीन अधिकारी के रूप में नियुक्त करती है, जिनका मुख्यालय मुम्बई में होगा, और

(ii) उक्त अधिनियम की धारा 10 की उपधारा (1क) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए उक्त विवाद को उक्त राष्ट्रीय औद्योगिक अधिकरण को न्याय निर्णय के लिए निर्देशित करती है।

अनुसूची

"मैसर्स एसोसिएटेड सीमेंट कम्पनी लिमिटेड, जिसका मुख्यालय मुम्बई में है, के विभिन्न कारखानों/स्थानों में नियोजित कर्मकारों की लेखा वर्ष 1979-80 के लिए उसकी मजदूरी/वेतन के 20 प्रतिशत की दर पर बोनस के संवाय की मांग और प्रबन्धमंडल द्वारा केवल 8.33 प्रतिशत की दर पर बोनस के संवाय के ध्यान में रखते हुए, संदेय बोनस/अनुत्पाप की क्या मात्रा होनी चाहिए?"

[सं० एल० 29011/6/81-डि० III(बी)]

ORDER

New Delhi, the 19th March, 1981

S.O. 1420.—Whereas the Central Government is of opinion that an industrial disputes exists between the employers in relation to the management of M/s. Associated Cement Companies, Ltd., Head Office Bombay and their workmen represented by (i) Indian National Cement and Allied Workers Federation, Bombay, and (ii) All India Cement Workers Federation Ammasandra (Karnataka) in respect of the matters specified in the Schedule hereto annexed ;

And whereas, the said dispute involves a question of national importance and is also of such a nature that industrial establishments of M/s. Associated Cement Companies Limited, situated in more than one state are likely to be interested in, or affected by, such dispute.

And whereas, the Central Government is of opinion that the said dispute should be adjudicated by a National Industrial Tribunal.

Now, therefore, the Central Government :—

- (i) In exercise of the powers conferred by section 7B of the Industrial Disputes Act, 1947 (14 of 1947) hereby, constitutes a National Industrial Tribunal with head quarters at Bombay, and appoints Shri Chintaman Takaram Dighe, as its Presiding Officer; and

- (ii) in exercise of the powers conferred by sub-section (1A) of section 10 of the said Act, hereby refers the said dispute to the said National Industrial Tribunal for adjudication.

SCHEDULE

"Keeping in view the demand of the workmen employed in various factories/quarries of M/s. Associated Cement Companies Limited with Head Office at Bombay, for payment of bonus at 20 per cent of their wages/salary for the accounting year 1979-80, and the payment of bonus by the management at 8.33 per cent only, what should be the quantum of bonus/relief payable?"

[No. L-29011/6/81-D.III(B)]

New Delhi, the 23rd April, 1981

S.O. 1421.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Orissa, Bhubaneswar in the industrial dispute between the employers in relation to the management of Shri Bajranglal Padia, Owner of Jashipur China Clay Mines and their workman, which was received by the Central Government on the 13-4-81.

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT :

SHRI M. V. GANGARAJU, B.A., B.L. PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, ORISSA BHUBANESWAR

Industrial Dispute Case No. 10 (Central) of 1980

Dated Bhubaneswar, the 4th April, 1981

BETWEEN

The employers in relation to the management of Shri Bajranglal Padia, Owner of Jashipur China Clay Mines. — First Party

AND

Their workmen — Second Party

APPEARANCES :

Shri Bajranglal Padia, Employer
Shri Shambhunath Nayak,—For the first Party
General Secretary,
Mayurbhanj Zonal China—For the second party.
Clay Mines Workers' Union
P.O. Jashipur, Distt. Mayurbhanj

AWARD

In exercise of the powers conferred by Section 7-A and Clause (d) of Sub-section (1) of Section 40 of the Industrial Disputes Act, 1947, the Central Government in the Ministry of Labour have referred the following dispute to this Tribunal for adjudication as per their Order No. L-29011/41/80-D.III B. dated 19-9-1980 :—

"Whether the action of the management of Shri Bajranglal Padia, Owner of Jashipur China Clay Mines P.O. Jashipur District Mayurbhanj, Orissa State in terminating the services of Shri Bhim Charan Mahanta, Clerk of the mine from 1-2-1980 is legal and justified? If not, to what relief is he entitled?"

2. On 2-4-1981, both the parties filed a joint petition along with a Memorandum of Settlement stating that they had settled the dispute amicably out of the court and prayed to pass an Award in terms of the settlement. Both the parties admitted the terms of the settlement and stated that they had entered into the settlement without any coercion and duress in the interests of industrial peace and harmony.

3. Hence I pass this Award in terms of the settlement and the Memorandum of Settlement do form part of the Award.

Dated : 4-4-81, M V GANGARAJU, Presiding Officer.

FORM-H

(See rule 38)

FORM FOR MEMORANDUM OF SETTLEMENT
BEFORE THE PRESIDING OFFICER : INDUSTRIAL
TRIBUNAL : ORISSA BHUBANESWAR

Industrial Dispute Case No. 10(c) of 1980

NAME OF PARTIES :

1. Representing Employer—Sri Bajranglal Padia Owner Jashipur China Clay mine P.O. Jashipur, Distt. Mayurbhanj
2. Representing workmen. Sri Shambhunath Nayak General Secretary. Mayurbhanj Zonal China Clay mines workers union P.O. Jashipur Dist. : Mayurbhanj.

SHORT RECAPITULATION OF THE CASE

Whether the action of the management of Sri Bajranglal Padia owner of jashipur china clay mine P.O. Jashipur Dist : Mayurbhanj, Orissa State in terminating the service of Shri Bhim Charan Mahanta clerk of the mine from 1-2-80 is legal and justified? If not what relief is he entitled?

TERMS OF SETTLEMENT

The dispute is hereby settled amicably between us out of the court.

The workman is re-instated with back wages

Made Part of the Award

Signature of the parties

Sd/-
M. V. GANGARAJU
4-4-81
P.O.I.T.
Witness

1. Bajranglal Padia
Owner Jashipur China Clay
Mine
P. O. Jashipur, Dist :
Mayurbhanj

1. Shyam Sunder Mohanta
At/P.O. Rairangpur,
Dist. Mayurbhanj
2. Sri Shambhunath
Nayak
General Secretary,
Mayurbhanj Zonal
China Clay Mines Workers
Union
P. S. Rairangpur
Dist. : Mayurbhanj

P.O. : Jashipur Dist. :
Mayurbhanj

[No. L-29011/41/80-D.III(B)]

New Delhi, the 27th April, 1981

S.O. 1422.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the management of M/s. Associated Cement Companies Limited, Madukkarai and their workmen, which was received by the Central Government on the 21-4-81.

BEFORE THIRU T. SUDARSANAM, DANIELI, B.A.,
B.L., PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
MADRAS

(Constituted by the Government of India)

Saturday, the 4th day of April, 1981

Industrial Dispute No. 81 of 1980

In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of M/s. Associated Cement Companies, Limited Madukkarai.

BETWEEN

The workmen—represented by

The General Secretaries :

1. Kovai Kavatta Cement Thozhilalar Sangam, No. 17/255, Palghat Road, Madukkarai-641105.
2. Coimbatore Cement Workers Union, No. 17/258, Palghat Road, Madukkarai-641105.

AND

The General Manager,
M/s. Associated Cement Companies Limited,
Madukkarai-641105, Coimbatore District.

REFERENCE :

Order No. L-29011/48/80-D.III.B, dated 24-10-1980 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Wednesday, the 25th day of February, 1981 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru K. Ayyaswamy, Secretary of Union No. 1, Thiru N. Nagarajan, Advocate appearing for Union No. 2 and of Thiruvallargal T. S. Gopalan and P. Raghunathan, Advocates appearing for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following award.

AWARD

This is an Industrial Dispute between the workmen and the Management of M/s. Associated Cement Companies Limited, Madukkarai, Coimbatore District referred to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in Order No. L-29011/48/80-D.III.B, dated 24-10-1980 of the Ministry of Labour in respect of the following issue :

Whether the action of the management of the Associated Cement Companies Limited, Madukkarai in withdrawing the scheme of Good Work Bonus (incentive) with effect from 11-6-1979 by their notice of change dated 18-5-1979 applicable to the Blaster employed in Madukkarai and Walayar Stone Quarries is justified ? If not, to what relief the said workmen are entitled ?

(2) Facts leading upto this dispute are as follows : The Management is M/s. Associated Cement Companies Limited, Madukkarai-641105, Coimbatore District, Tamil Nadu State. The Management Company is engaged in the manufacture of cement. It has 18 factories throughout the country and one such factory is located at Madukkarai, Coimbatore District to which the present reference made by the Government of India relates. The basic raw material for cement manufacture is lime stone which is obtained from the lime stone mines of the Company. For quarrying lime stone, holes are to be drilled and blasted with explosives. Originally, the Company was using gun powder as that was the only material available for blasting purpose. The Company has two quarries, one at Madukkarai and the other at Walayar. The Blasters had to fill up the holes with gun powder and stem it on the top with the earth to make it more compact and individual holes have to be lighted up by the blasters as per the Regulations and they had to run to a place of safety say 400 metres before the shots go off. It is common ground that the Management employed 22 blasters at Madukkarai and Walayar stone quarries. All these blasters possessed Blaster's Certificate which had been issued after having passed an examination conducted by the Safety Director of Mines, Government of India. So to say, these blasters were qualified blasters. They are also time rated workers and not piece rated workers. These blasters were classified into two grades, viz., 'C' and 'B'.

While so, in 1953, the Company introduced a good work bonus scheme to the blasters. Ex.W-1 is the Management's notice notifying the introduction of good work bonus (incentive) to these blasters with effect from 1st September, 1953. As a result of this good work bonus (incentive) shot firers (blasters) are eligible for good work bonus based on the output of stone resulting from proper charging and blasting as well as on the quantity of explosives consumed. Ex. W-1 also gives the rate of good work bonus offered to the blasters. Thus it can be noted that the good work bonus is on the foot of the output of the stone and quantity of explosives consumed. Moreover this scheme was introduced

with a view to augment sufficient quantity of lime stone and to motivate the workmen to put optimum efforts. It may also be remembered that the Company's requirement was 1500 tonnes of lime stone per day and to get that quantity about 1500 holes had to be drilled and blasted. This good work bonus was paid to all blasters irrespective of their grades. This good work bonus scheme was in vogue from 1st September, 1953 till the 10th of June, 1979. On 18th May, 1979, the Management gave a notice as required under Rule 34 of the Industrial Disputes (Central) Rules, 1957 in Form 'E' that under Section 9-A of the Industrial Disputes Act, 1947 the intention of the Management to withdraw the incentive bonus to the blasters which was introduced 26 years ago and the Annexure to the Notice Ex.M-3 also notified the Company's proposed to withdraw the scheme of paying incentive bonus to the Blasters with effect from 11th June 1979. From Ex.M-3, it can be noted that the Management had issued this notice to six Unions representing the blasters employed by the Management. While so, two Unions Kovai Mavatta Cement Thozhilalar Sangam, No. 17/255, Palghat Road, Madukkarai-641105 and Coimbatore Cement Workers Union, No. 17/258, Palghat Road, Madukkarai-641105 objected to the proposal of the Management to withdraw the good work bonus to blasters and required the Management to continue the scheme. But the Management did not accede to the objections but discontinued the payment of good work bonus to the blasters with effect from 11-6-1979 as notified under Ex.M-3. Aggrieved by this decision, Union No. 1, viz., Kovai Mavatta Cement Thozhilalar Sangam, Madukkarai raised an industrial dispute before the Regional Labour Commissioner (Central) Madras through Union's letter dated 27-7-1979. Joint discussions were held, meanwhile the Coimbatore Cement Workers Union, viz., Union No. 2 also raised the same dispute in their letter dated 22-12-1979 and thereafter they also participated in the discussions, but eventually the Conciliation Proceedings ended in a failure. Ex. W-2 is the Conciliation Failure Report. Later, the Government of India has made this reference to this Tribunal.

(4) It has to be determined whether the action of the Management in withdrawing the good work bonus (incentive) for blasters employed in Madukkarai and Walayar Lime Stone Quarries with effect from 11-6-1979 is justified. It will be pertinent for me to set forth the circumstances which preceded the withdrawal of good work bonus (incentive) with effect from 11-6-1979. I had already set out how the good work bonus (incentive) for blasters was introduced by the Management with effect from 1st September, 1953. Ex.W-1 is the Management's notice regarding the introduction of good work bonus (incentive) for blasters with effect from 1st September, 1953. It is apparent from an analysis of Ex.W-1 that the incentive earning is linked to average output of lime stone per pound of gun powder used during the month. At this juncture, I must point out that there is no controversy whatsoever between the Management and the workmen with regard to the working of the blasting of lime stones. It is common ground that when gun powder was in use, the holes used to be of a depth of 1/2 ft. 6 ft. of 1" diameter. For the Company's requirement about 1500 holes had to be drilled and blasted per day. The duty of the blasters was to fill up the holes with gun powder and they had to light each individual hole for blasting and as this lighting has to be done directly by the manual labour, the blasters had to run to place of safety of about 400 metres before the shots go off. It is undisputed that from 1970, the Management gradually stopped using gun powder as the availability of high explosives in the market became more easy and use of gun powder was totally stopped from 18-12-1977. Although in some solitary cases the blasting with the aid of gun powder is still continued. Thus in the place of gun powder, the Management started using high explosives which were about 200 per cent more powerful than gun powder, packed in waterproof containers. The blasting operation with high explosives was quite different from that of gun powder, in that, the holes were of 4" diameter drilling upto a depth of 40 feet. The high explosives were fired by electrical detonators from a distance of about 400 metres through an energy developed by an exploder. Moreover, by one lighting, several holes can be blasted unlike in the case of gun powder, lighting had to be done individually for each hole. In view of the high explosives being very powerful and the holes being very deep, naturally the output of lime stone quarry was huge compared with the output obtained by use of gun powder. It should also be remembered that these blasters are time rated workers and are not piece rated workmen. The loading of stone and transport is done by heavy earth moving equipment. There is Regulation to the effect that the

number of holes a blaster can be made to light by lighting individual holes is 50 holes per blaster. But when the lighting is done by electric detonator through energy developed by an exploder a blaster can be made to light about 80 holes. Therefore, after the introduction of high explosives in the place of gun powder, the blasters cannot be said to have been employed on wages depending on the amount of mineral, rock or debris obtained by firing shots. Therefore, although good work bonus scheme was perfectly good in the situation obtained when it was introduced, the scheme must be considered to have lost its relevancy on the advent of high explosives which radically transformed the basis for the quarrying of lime stones from the mines. Therefore, it stands to plain good sense that on the introduction of high explosives the earlier scheme of good work bonus (incentive) must have lost its significance.

(5) Let me also examine specific points raised by the Management and workmen for and against the discontinuance of the good work bonus scheme. In the first place, the good work bonus (incentive) under Ex. W-1 was based on the assumption that gun powder would be in use. Column (1) of the Schedule in Ex. W-1 indicates average output of stone per lb. of gun powder used during the month. Column (2) refers to the rate of bonus for every ton above the limit calculated for each month with which we need not concern at this stage. Therefore, when by and large gun powder as such is not in use by the blasters from about 1977, the very basis for the scheme under Ex. W-1 has lost its relevance and thus there is no merit in the continuance of the above said good work bonus scheme. However, learned counsel for Union No. 2 Thiru N. Nagarajan would submit that on a proper reading of Ex. W-1 it would be noted that the scheme is based on the quantity of the explosives consumed, and therefore the use of the word "explosives" cannot be restricted to gun powder alone but would admit gelatine, the high explosive now utilised by the Management. If the contents of Ex. W-1 are scanned closely then in the tabular column prescribing the norms of the incentive it is specifically mentioned that the output is for stone per pound of gun powder used during the month. Therefore, the expression "explosives" in Ex. W-1 in the peculiar circumstances would only refer to gun powder and not admit any explosives. It should also be remembered when the good work bonus scheme was introduced in 1953 gun powder alone was used and therefore there is no scope for contemplating the use of gelatine while the scheme was introduced under Ex. W-1.

(6) Another ground on which the Management wants to discontinue the good work incentive bonus scheme under Ex. W-1 is that Regulation 160 of the Metalliferous Mines Regulations, 1961 prohibits the payment of wages depend on the amount of mineral rock or debris obtained by firing shots by a blaster. Regulation 160(4) is extracted in Ex. M-2. It runs as follows :

"No person whose wages depend on the amount of mineral, rock or debris obtained by firing shots, shall be appointed to perform the duties of a blaster."

It is stated at the bar by the Management that in 1978-79 the authorities who were in-charge of Metalliferous Mines Regulations started enforcing the regulations very strictly and those authorities took exception to the good work bonus scheme on the ground that it amounts to employing persons on wages depending on the amount of mineral, rock or debris obtained by firing shots. But this is countered by the Unions on two grounds. In the first place, the term "wages" occurring in Regulation 160(4) of the Metalliferous Mines Regulations, 1961 would not include incentive bonus. Support for this position is sought to be had from definition of "wages" in the Industrial Disputes Act, 1947 which would indicate that incentive bonus was not wages. But then the object of Regulation 160(4) was that the emoluments of the blaster should not be made to depend on the use of explosives or the debris or the materials raised as otherwise in their anxiety to earn more the blaster may be exposed to grave risk and the safety of the blasters would be in peril. Hence I am inclined to view that the term "wages" in Regulation 160(4) should not be construed to include any type of emoluments and cannot be placed on the definition given to incentive bonus under the Industrial Disputes Act, 1947. Therefore, the good work incentive bonus appears to be violative of the express Regulation 160(4) of Metalliferous Mines Regulations 1961. In the second place, it is stated by the

Union that the Metalliferous Mines Regulations came into force was only in 1961 whereas the good work bonus scheme under Ex. W-1 was in vogue even from 1-9-1953 and if the authorities had not taken any action till now it must be presumed that the good work incentive bonus does not contravene Regulation 160(4) of the Metalliferous Mines Regulations, 1961. But once it is shown that the good work bonus scheme cannot be held to be legal in the light of Metalliferous Mines Regulations, 1961 it must follow that the fact that the scheme was in operation for years before the Regulation cannot be a valid ground to continue the same even after the introduction of the Regulations. Assuming that an illegality has been committed in the continuance of the good work bonus incentive scheme in the light of Regulation 160(4) of Metalliferous Mines Regulations, 1961 it does not necessarily follow that the continuance of the illegality must be tolerated or maintained or justified. Therefore, in view of Regulation 160(4) of Metalliferous Mines Regulations, 1961 the good work incentive bonus scheme introduced under Ex. W-1 can no longer be held to be good or legal. It may also be remembered that in the notice of change of service conditions proposed by the Management under Section 9-A of the Industrial Disputes Act, 1947 under Ex. M-3 this fact of Regulation 160(4) of Metalliferous Mines Regulations, 1961 has also been mentioned one of the grounds for discontinuing the good work incentive scheme introduced under Ex. W-1. Hence on this reasonable ground also, the good work incentive scheme has been rightly discontinued by the Management.

(7) Another contention put forward on behalf of the workmen was that paragraph (204) of the Arbitration Award protects the existing rights and privileges and therefore during the period of operation of the Award the good work bonus should remain undisturbed. Ex. M-1 is the extract of paragraph (204) of the Arbitration Award dated 26th September, 1978 published in the gazette of India dated 21-10-1978. Ex. M-1 indicates the recognition of the right of the employees to be entitled to continue their existing rights, privileges, etc. and also the right of the Management to change any of the existing rights, benefits and privileges by having resort to Section 9A of the Industrial Disputes Act, 1947. Therefore, it is clear that the Arbitration have not chosen to fetter the right of the employer under Section 9-A of the Industrial Disputes Act, 1947. Furthermore, the latter part of this paragraph deals with the matters which are covered by the Award and if the existing conditions of services were more liberal than what was provided in the Award, then the existing conditions of service should continue. Admittedly, the good work bonus scheme was not one of the matters dealt with by the Arbitration Award and therefore the latter part of paragraph (204) of the Award does not cause any ban on the Management to withdraw the good work bonus incentive scheme. As I had already referred to the good work incentive scheme has been properly withdrawn after the service of notice under Section 9-A of the Industrial Disputes Act, 1947 and therefore it is that the reference made to this Tribunal by the Government of India relates only to the question as to whether the discontinuance of the scheme as such was justified. I may also point out that even according to the claim statement filed by the 1st Petitioner-Union at page (3) that now the blasters in cement industries had been classified as skilled artisans and so the blasters are fixed under skilled grade. A word or two about the relative risks and hazards of the conditions of service while gun powder was used by manual labour and the present use of Gelatine by electrical process by the blasters. The blaster was not only to fill the holes with gun powder but they had also to light each individual hole for blasting and as the lighting has been done directly by the manual labour, the blaster has to run to a place of safety of about 400 metres before the shots go off. Besides as the gun powder was used in natural form without any packing the risk of fire hazards were imminent if proper care and caution was not taken by the blasters. But after the introduction of blasting operation with high explosives, the high explosives were fired by electrical detonators from a distance of about 400 metres through an energy developed by an exploder and with one lighting several holes can be blasted unlike in the case of gun powder lighting had to be done individually for each hole. I had earlier referred to the fact that high explosives are 200 per cent more powerful than gun powder. The high explosives are packed in water proof containers and are very safe to handle than the gun powder. Thus to a great extent, the job of the blaster become less arduous and less hazardous on the introduction of blasting operation with high explosives. On an anxious

and careful consideration of the entire evidence oral and documentary. I find that the discontinuance of the incentive scheme by the Management from 11-6-1979 is perfectly justified.

(8) However, if even after 11-6-1979, the blasting of quarries is done by the blaster with the aid of gun powder or in other words fuse blasting, then, although the scheme of such has been properly withdrawn, yet in as much as the blaster had actually used gun powder for fusing it follows that the blaster should be entitled to be paid the good work bonus as laid down under Ex. W-1. In this context, I may only advert to the evidence of the Senior Mines Engineer of the Management who has been examined as M. W. 1. Even in chief-examination he has testified to the fact that in Madukkarai the blasting is done by electrical process, while at Walayar, blasting is done partly on electrical energy and partly on fuse blasting. Later on also he says that at Walayar smaller hole is blasted by fuse and not electric detonator. In cross-examination, he has categorically stated that in Walayar at present blasting is done by fusing and electric detonator almost on equal basis. In the light of the evidence of M.W.1 such of those workmen who had blasted quarries by fusing would certainly be entitled to the good work bonus under Ex. W1 even after 11-6-1979. The Management cannot possibly have any objection to make this payment in view of the fact that as a matter of fact the blaster had in fact fused with the aid of gun powder in those case and the fact also remains that till date no action as such has in fact been initiated against the Management for the alleged infringement of Regulation 150(4) of Metalliferous Mines Regulations, 1961. While I find the action of the Management taken pursuant to Ex. M-3 is justified, the Management cannot continue the system of raising lime stone with the aid of gun powder without however granting to the blaster concerned, the benefit given to him under Ex. W-1. However, it is perfectly open to the Management to discontinue the use of gun powder altogether at any stage, in which case, the good work bonus scheme will become totally in-operative.

(9) In the result, an Award is passed holding that the action of the Management in withdrawing the scheme of good work bonus (Incentive) with effect from 11-6-1979 is justified.

However, the blasters employed in Madukkarai and Walayar Stone Quarries who had blasted the quarries with the aid of gun powder even after 11-6-1979 would certainly be entitled to the bonus indicated under Ex. W-1. The Management is directed to calculate the incentive bonus due to such blasters who had actually done this blasting by fusing with the aid of gun powder even after 11-6-1979 and upto date and the amount due to them should be paid within three months from the date of this Award. Of course, it is perfectly open to the Management to discontinue at any stage the fusing of quarries with the aid of gun powder altogether.

No costs.

Dated, this 4th day of April, 1981.

T. SUDARSANAM DANIEL

Presiding Officer

WITNESSES EXAMINED

For workmen

W.W. 1—Thiru N. Wachi.

For Management :

W.W.1—Thiru K. Butchaiah, Senior Mines Engineer.

DOCUMENTS MARKED

For workmen

Ex W-1—Management's notice regarding good work bonus (incentive) for shot firers. (copy).

Ex. W-2/4-8-80—Conciliation failure report.
For Management

Ex. M1/26-9-78—Extract of para 204 of the Arbitration Award, which is published in the Gazette of India, dated 21-10-1978.

Ex. M-2—Extract of Regulation 160(4) of the Metalliferous Mines Regulations, 1961.

Ex. M-3/18-5-79—Notice of change of service conditions proposed by the Employer us. 9-A of the I. D. Act, 1947

Ex. M-4/28-6-79—Management's notice regarding incentive bonus to shot firers.

[No. L-29011/48/80-D.III(B)]
K. K. HANDA, Under Secy.

Note : Parties are directed to take return of their documents within six months from the date of publication of this Award.

आदेश

नई दिल्ली, 23 मार्च, 1981

का० आ० 1423.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में बरिष्ठ डाकघर अधीक्षक, डाक और तार, कोटा डिब्बोजन से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्याय निर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री एम०डी० चौधरी होंगे, जिनका मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है

अनुसूची

क्या डाकघर अधीक्षक, डाक और तार, कोटा डिब्बोजन, कोटा की श्री धनालाल, अनिरिक्त विभागीय परिधान अधिकर्ता की सेवाएं छंटनी प्रतिकर या सुचना के बदले वेतन के संबंध बिना, 21.8.78 से समाप्त करने की कार्रवाई न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुतोष का हकदार है?

[सं०एल-40012/9/79-डी-2(बी)]

ORDER

New Delhi, the 23rd March, 1981

S.O. 1423.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Senior Superintendent of Post Offices, P&T, Kota Division and their workmen in respect of the matter specified in the Schedule hereto annexed ;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication ;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri M. D. Choudhary shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the Superintendent of Post Offices, P & T, Kota Division, Kota in terminating the services of Shri Dhanalal, Extra Departmental Delivery Agent with effect from 21-8-1978, without payment of retrenchment compensation or notice pay is justified? If not, to what relief the workman is entitled?"

[N. L-40012(9) '79-D.II(B)]

New Delhi, the 20th April, 1981

S.O. 1424.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workman Shri Haresh Kumar, which was received by the Central Government on the 14th April, 1981.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I.D. No. 51 of 1980

STATE : Uttar Pradesh

Sri Haresh Kumar S/o. Sri Brij Mohan Lal
23/1070, Ganesh Bhavan, Jeoni Mandi, ...Petitioner
Agra.

Versus

The District Manager,
Food Corporation of India,
2/63, Ram Nagar Colony, Agra. ...Respondent.

AWARD

The Central Govt. as appropriate Govt. vide its order No. L-42012(62)/79-L.II(B) dated the 9th June, 1980 referred an Industrial Dispute u/s 10 of the I.D. Act, 1947 to this Tribunal in the following terms :

"Whether the action of the management of Food Corporation of India, Agra, in terminating the services of Shri Haresh Kumar, an Ex-Fitter-cum-Plumber with effect from 28-1-1978 without following the provisions of section 25F of the Industrial Disputes Act, 1947 is legal and justified? If not, to what relief is the said workman entitled?"

2. On receipt of the reference usual notices were sent to the parties, in pursuance whereof a statement of claim was filed. Thereafter a written statement was filed. Before any further proceedings could take place an application has been filed by the workman today stating therein that the respondent has offered to reinstate the workman with full back wages vide letter dated 5-12-1980 and 30-12-1980. Copy of the letter is already on record. In pursuance thereof statement of workman and his representative was recorded. Thereafter statement of Shri Nazir Ahmad representative of Food Corporation of India was also recorded. In pursuance of the statements it is awarded that the respondent is directed to reinstate the workman with full back wages and the workman is directed to report for duty at the Agra office of the respondent on 4th May 1981. The workman would also be entitled to arrears of his wages subject to his producing the affidavit before the Corporation to the effect that he was not gainfully employed during the period his services remained terminated. Parties would bear their costs.

That requisite number of copies of this award may be sent to the appropriate Govt. for necessary action at their end.

MAHESH CHANDRA, Presiding Officer

[No. L-42012(62)/79-DIIB]

Dated : the 2nd April, 1981.

New Delhi, the 23rd April, 1981

S.O. 1425.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 1, Dhanbad, in the industrial dispute between the employers in relation to the management of Messrs. Dehri Rohtas Light Railway Company Limited and their workmen, which was received by the Central Government on the 14th April, 1981

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 DHANBAD

In the matter of a reference under Sec 10(1) (d) of the Industrial Disputes Act, 1947.

Reference No. 4 of 1978

PARTIES :

Employers in relation to the management of M/s. Delhi Rohtas Light Railway Company Limited.

AND

Their Workmen.

APPEARANCES :

For the Employers.—Shri S. S. Mukherjee, Advocate.

For the Workman.—Shri B. Lal, Advocate.

STATE : Bihar

INDUSTRY : Railway

Dhanbad, the 8th April, 1981

AWARD

By Order No L-41012(3)/78-D.II(B) dated the 15th May, 1978, the Central Government being of opinion that an industrial dispute existed between the employers in relation to the management of Messrs Dehri Rohtas Light Railway Company Limited and their workmen in respect of the matters specified in the schedule attached to the order, referred the same for adjudication to this Tribunal. The schedule to the order reads thus.

"Whether the action of the management of Messrs Dehri Rohtas Light Railway Company Limited, Dalmianagar in transferring Shri Sant Kumar Singh, Loco Fitter from Dalmianagar to Tiura with effect from 26-9-1977 is justified? If not to what relief is the said workman entitled?"

2. After notice to the parties they have filed their respective written statements and rejoinders. The case of the union as made out in its pleading may be briefly stated thus. Sri Sant Kumar Singh, the concerned workman was initially appointed as a watchman in Dehri Rohtas Light Railway Company Limited, Dalmianagar in 1957. He was promoted to the post of Loco Helper in 1959. Thereafter he was transferred to Tiura Railway Station of the company in 1966. At Tiura he worked as Basic Trades Man from 1966 to 1969. After his promotions to the post of Loco fitter in 1969 he was transferred from Tiura to Dalmianagar Loco Shed as Loco Fitter in January 1973. From 1974 he was posted in the Godown of running shed at Dalmianagar where he was entrusted with the tools and other materials stored in the godown for daily use of the workmen working in the Running Shed. This work which was entrusted to the workman was clerical in nature and so he demanded the grade and scale of pay and designation of a tools clerk by application dated 3-9-1977. This demand of the workman while was pending with the management the time keeper Sri M. K. Bhutta informed the concerned workman that he had been transferred to Tiura Railway Station. No written order was, however, delivered to the concerned workman even on demand. On 29-9-1977 the Asst. Mech. Engineer Sri R. S. Singh, Dalmianagar handed over a duty pass to the concerned workman and asked him to report for duty at Tiura on 1-10-1977. At that time also no written order of transfer was delivered to the workman. On 5-10-1977 the concerned workman was stopped from working at Dalmianagar and was not paid any wages and allowances thereafter. The concerned workman while in service was taking active part in organising Rohtas Karamchahi Sangh. He was elected as founder General Secretary of the Sangh. He launched hunger strike from 14-11-1973 to 23-11-1973 for the cause of the workers under the management. He also was taking active part in various agitations launched by Rohtas Karamchahi Sangh. He staged "Dharna" from 2-12-77 to 5-12-77 before the Executive President of the company for payment of Bonus to employee of D.R.L. Rly. for

the accounting year 1976-77. For these various lawful trade union activities of the concerned workman the management was searching an opportunity to victimise him. With that object in view the management suspended the concerned workman without any reason on a number of occasions but was forced to withdraw the same without any action. The action of the management in transferring the concerned workman from Dalmianagar Running Shed to Tiura Railway Station verbally is only another instance of vindictive act of the management intended to victimise the concerned workman for his trade union activities. As the concerned workman before his transfer which is subject matter of challenge in the reference was doing clerical work at Dalmianagar, he could not be transferred to Tiura as a Loco Fitter inasmuch as the nature of work of Loco Fitter was wholly different from the nature of work which the concerned workman was doing in the Godown at Dalmianagar before the impugned transfer. On these allegations the validity of the impugned order of transfer is challenged and a claim is made that the said order should be declared to be not justified.

The case of the management revealed from its written statement is as follows. The dispute referred to the Tribunal for adjudication by the Central Govt. is not an industrial dispute and hence the reference is in direct contravention of Sections 2(K) and 10 of the Industrial Disputes Act, 1947.

The order of transfer is an essential function of the management for running its establishment efficiently. The impugned order of transfer in the present case is neither a punishment nor violation of the terms and conditions of services of the concerned workman. By the impugned order of transfer of the concerned workman from Dalmianagar to Tiura his employment as a Loco Fitter has not been effected in any way nor the conditions of his employment have been in any way changed. The impugned order of transfer has been passed in best interest of the establishment as the concerned workman is an experienced Loco Fitter. The order of transfer has been passed in bonafide exercise of management's powers. It is on account of the unwillingness of the concerned workman to join the post at Tiura he has imputed motive to the management. After the impugned order of transfer when the concerned workman preferred an appeal before the management against the said order the management with best of intentions said that the workman's appeal would be considered after he obeyed the order of transfer. This shows the bonafide of the management. In spite of the said order on the workman's appeal the workman disobeyed the order of transfer. In these circumstances the impugned order of transfer cannot be said to be a mala fide one.

3. In course of hearing of the case management has examined one witness as MW-1 who as Superintendent passed the impugned order of transfer transferring the concerned workman from Godown at Dalmianagar to Tiura Railway Station. Two witnesses including the concerned workman have been examined by the union. Besides the aforesaid oral evidence led by the parties they have also relied upon a number of documents which would be dealt with in the subsequent paragraphs.

4. It may be mentioned here that in addition to the grounds of attack challenging the impugned order of transfer mentioned in the written statement of the union a new ground of attack has been taken by the union in course of hearing of the case before the Tribunal to the effect that Tiura Station is a station of D.R.L. Rly. where the management posts its employees as a measure of punishment and that the concerned workman was posted to that station in order to punish him for his trade union activities and to make it impossible for him to function as an active trade unionist.

5. The case of the union that the concerned workman was initially appointed as a watchman in D.R.L. Rly Co., Dalmianagar in 1957, that he was presented to the post of Loco Helper, that he was transferred to Tiura Railway Station of the company in 1966, that while at Tiura he worked as Basic Trades man from 1966 to 1969 that thereafter he was promoted to the post of Loco Fitter in 1969, that after his promotion he was transferred from Tiura to Dalmianagar Loco Shed as Loco Fitter in January 1973 and that from 1974 he was posted in the Godown of running shed at Dalmianagar where he was entrusted with the work of issuing tools and other materials for the daily use of the workman working in the running shed and of receiving back the tools and other materials are not disputed. It is the case of the management that while he was working in the Godown of running shed at

Dalmianagar he was ordered to be transferred as Loco Fitter to Tiura Railway Station. It is this order of transfer the validity of which is challenged in the reference. The First ground of attack of the union to this order of transfer is that the said order was not a written one and was more a verbal order. In this connection management relies upon Ext.M-2 the written order of transfer. The genuineness of this document is not challenged by the union and nothing has been shown in course of hearing to show that this document has been manufactured by the management for the purpose of the case. So one of the grounds of attack of the union that the impugned order to transfer was a verbal one and that there was no written order transferring the concerned workman from Dalmianagar to Tiura fails. The other grounds of attack of the union to the order of transfer are that the said order is an act of victimisation on the part of the management for the workman's trade union activities, that the job which the concerned workman was performing in the Godown in Dalmianagar before the order of transfer being clerical in nature he could not be transferred as Loco Fitter to Tiura and that Tiura being a Station where employees are posted as a measure of punishment, the impugned order of transfer is nothing but an act of punishment. The fact that the order of transfer transferring the concerned workman to Tiura is by way of punishment is not mentioned in Ext. M-3 submitted by the concerned workman to the management in reply to the order of transfer Ext. M-2. The relevant portion Ext. M-3 is quoted here in below.

"The humble submission is that with reference to your transfer letter No. 48 dated 26-9-77, I have only to say, that it is not my turn to go Tiura, because from 1966 to January 1973 I remained at Tiura, which is more than the period for which any other Fitter had remained at Tiura." In this reply there is no indication by the concerned workman that either he was being transferred from Dalmianagar to Tiura as a measure of punishment or that the order of transfer was an act of victimisation for workman's trade union activities or that the nature of work which the concerned workman was doing at Dalmianagar before the impugned order of transfer being clerical he could not be transferred as Loco Fitter to Tiura. Therefore it has been very rightly contended by Mr. S.S. Mukherjee learned counsel for the management that all the grounds of attack on which the union now challenges the impugned order of transfer are completely silent in Ext.M-3, the only contemporaneous document available at the relevant time. It is argued by Mr. S.S. Mukherjee that the earliest document in which the workman has challenged the order of transfer being completely silent about the grounds of attack which are now taken by the union in challenging the validity of the order of transfer it must be taken that none of the grounds of attack now made against the order of transfer was existing at the time when the impugned order of transfer was made. Therefore for this according to Mr. Mukherjee it must be held that the several grounds of attack now made by the union against the order of transfer have no substance and have to be rejected. If really there were some truth in the grounds of attack now made they should have been indicated in Ext. M-3 the earliest document in point of time in which the concerned workman challenged the order of transfer. These contentions of Mr. Mukherjee are very well founded. It is however argued by Mr. B. Lal learned counsel for the union that non-mention of all the grounds of attack now made by the union against the order of transfer in Ext. M-3 by the concerned workman who had no legal advice at the time when he wrote Ext. M-3 cannot be said to be fatal. I am afraid such an argument cannot be accepted. The very stand of the concerned workman against the order of transfer throughout is that the said order was an act of victimisation for his trade union activities, that Station Tiura being a punishment station the order of transfer was passed as a measure of punishment against the concerned workman and that the concerned workman being employed in clerical job at Dalmianagar he could not be transferred as Loco Fitter to Tiura. These are all facts about which the workman was well aware when the impugned order of transfer was served upon him. Therefore when he thought of replying to the impugned order of transfer by writing Ext. M-3 in normal course one would expect the workman challenging the order of transfer to mention the grounds on which he was objecting to the order or in other words to mention his grievances against the order of transfer. No special legal knowledge was required of the concerned workman when he was going to put his grievances before the management against the impugned order of transfer in Ext. M-3. That being the position the only conclusion which can be drawn from the omission of all these grounds of

attack which are now made against the impugned order of transfer in Ext. M-3 is that none of these grounds were really existing when the workman was replying under Ext. M-3. Much emphasis is put by the union on Ext. M-4 the reply of the management to Ext. M-3 the protest of the concerned workman against the impugned order of transfer Ext. M-2. In Ext. M-4 the management in reply to Ext. M-3 has written to the concerned workman that before his appeal Ext. M-3 is considered he (concerned workman) should join at Tuira in pursuance to the order of transfer Ext. M-2. It is urged by Mr. Lall on behalf of the union that Ext. M-4 proves the malafide of the management. According to him when the concerned workman had protested against the impugned order of transfer and his protest which was treated to be an appeal was pending before the management for dismissal normally the management should have disposed of that appeal before taking any action against the workman. Instead of doing that the fact that management under Ext. M-4 insisted that the workman first of all must obey the order of transfer Ext. M-2 and that after he obeyed the order his appeal would be considered would clearly indicate that the management was vindictive and was bent upon in forcing the concerned workman to join at Tuira. It is further urged that once the concerned workman would join the new post at Tuira there would be no meaning in considering his appeal Ext. M-3 thereafter because his joining at Tuira would be used as a ground for disposing of the appeal against him. The argument of Mr. Lall though appears to be persuasive on its face on close scrutiny the same does not seem to have any merit. It is the normal function of the management to transfer its employee from one place to another in the same establishment in the best interest of administration. An order of transfer therefore has to be accepted prima facie to be a bonafide one. The onus is upon the person who challenges the bonafide of an order of transfer and until he is successful in discharging the onus an order of transfer is to be taken to have been made in the best interest of the administration. It is not the case of the union that no fitter was actually required at Tuira when the impugned order of transfer was passed against the concerned workman. Ext. M-2 in which the concerned workman was transferred to Tuira also shows that the concerned workman under the impugned order of transfer was to replace another Loco Fitter Sri Bachan Ram Bishkarma at Tuira. This clearly shows that Station Tuira had work for a Loco Fitter. When the concerned workman did not join his new post at Tuira in pursuance to the order of transfer Ext. M-2 the concerned workman has admitted in his cross-examination that another person namely Bachan Ram Bishwakarma was transferred to Tuira to work as Loco Fitter even though on an earlier occasion he had worked at Tuira. This shows that posting of a Loco Fitter at Tuira was a necessity for the management and so if before disposing of the workman's appeal Ext. M-3 management insisted that the workman should first of all join at Tuira and then his appeal would be considered, there was nothing wrong in the step taken by the management. Had the workman joined it would have been still open to the management to consider the workman's appeal favourably, and to replace the concerned workman at Tuira by some other fitter subsequently. Loco Fitter's job is an important job and when Tuira was in need of a Loco Fitter the first concern of the management would be to provide Tuira Station with a Loco Fitter for efficient administration. In that view management's insistence upon the concerned workman to obey its order of transfer before his appeal was considered is not such an unusual step by the management for which bonafide of the management's action will be open to doubt. The justification of Ext. M-4 may be examined from another angle. After the impugned order of transfer Ext. M-2 the concerned workman filed a representation which is called an appeal against the order of his transfer. In this representation Ext. M-3 the only reason given against the order of transfer is that prior to the impugned order he had been at Tuira for a period for which any fitter ordinarily remains there. In substance the objection is that the workman having worked as fitter at Tuira prior to the impugned order of transfer he should not be re-transferred again to that place as a fitter. There is no prohibition to the effect that an employee cannot be transferred to the same place where he had worked earlier. No

case of practice to the above effect has either been pleaded or proved by the union in the case. That being so the ground taken by the workman in Ext. M-3 is prima facie not tenable. To transfer an employee to a particular place for administrative reason is normally a managerial function to which an employee can have no objection. Nothing has been shown to me that there is any prohibition in any rule or in any practice which has assumed force of a rule in course of time prohibiting transfer of a workman to a place where he had earlier worked. In this state of things the impugned order of transfer could not have been objected to on the ground that the concerned workman had worked as a fitter at Tuira previously. If in the objection filed by the concerned workman a ground would have been taken that for reasons of ill health of himself or of any member of his family or for any other like cause he could not be transferred to Tuira the matter would have stood in different position. In such an event if management would have insisted that the workman should first of all obey the order of transfer and thereafter his objection would be considered in that case it could have been said that the management was vindictive and that the order of transfer was not a bonafide one. But in the absence of any such reason when the only objection of the concerned workman is that he should not be transferred to Tuira because he had already worked as fitter previously there it could not be said that the management was vindictive when it said that the workman's objection would be considered after he obeyed the order of transfer. So in my view from Ext. M-4 it cannot be argued on behalf of the union that the attitude of the management in transferring the concerned workman to Tuira was not a bonafide one. The next point which falls for determination is that according to the union immediately before the impugned order of transfer the concerned workman was holding a clerical post being incharge of a Godown at Dalmianagar. Once the management appointed the concerned workman to a clerical job and the concerned workman agreed to work in that clerical post it should be taken that by mutual consent there was a change in the condition of service of the concerned workman and that by the time the impugned order of transfer was passed he was a clerk and not a fitter as claimed by the management. That being so the management had no right to transfer the concerned workman who was a clerk at Dalmianagar as a fitter to Tuira without complying with the provision of Sec. 9A of I. D. Act. This question raised by the union can be decided in favour of the union only when it is found that as a matter of fact the concerned workman while working at Dalmianagar before the impugned order of transfer was holding the post of a clerk and was not a fitter. On this point parties do not agree. According to the management the concerned workman while at Dalmianagar was put incharge of a workshop containing components and spare parts required for a fitter to work. According to it only a skilled labour or a semi-skilled labour is ordinarily put incharge of such a godown and the man who is so put incharge does not belong to a clerical cadre. A fitter is a skilled labour and so the concerned workman who is admitted to be a fitter before he was put incharge of godown was put incharge of said godown as a fitter only and not as a clerk. So while incharge of the godown he was still a fitter and not a clerk. The evidence of MW-1 supports the plea of the management. It has been brought out in evidence that the man incharge of the godown as to supply components and other parts to other fitters and has to obtain materials for his godown from the Central Godown on requisition signed by him. A number of requisitions, Exts. W-10 series bearing the signatures of the concerned workman has been relied upon by the union to show that the concerned workman was sending memos to the Central Godown for getting articles for his own godown while he was incharge of the latter at Dalmianagar. According to the union this could only be the work of a clerk and so management's case therefore that the concerned man while incharge of the godown was not doing the work of a clerk cannot be accepted. Except these requisition slips and the oral evidence led by the union through the mouth of the concerned workman nothing has been produced before me to come to a conclusion that the management by putting the concerned workman incharge of the godown at Dalmianagar adjusted him in the post of a clerk. On the other hand the case of the management is that fitter who is a skilled

labour could be put in charge of a godown because such a person will only be able to supply components and spare parts to other fitters and to get materials from the Central Godown according to necessity. It is also in evidence of the management that while the concerned workman was in charge of the godown at Dalmianagar he made a representation to the management to change the designation of the post he was holding then and to designate him as a clerk. This fact has also been mentioned in the written statement filed by the union. See paragraph 7 of the written statement. The Service Book of the concerned workman has also been produced in the case. According to the union the application of the concerned workman to be designated as a clerk at Dalmianagar was not accepted by the management. This action on the part of the management is consistent with its stand taken in the case that the man put in charge of the godown at Dalmianagar is not a clerk and is a skilled worker. On the evidence led before me I am not satisfied that the union has proved its case that the post held by the concerned workman in the godown at Dalmianagar immediately before his transfer to Tuira was that of a clerk. I have gone through the evidence of MW-1 saying that the man in charge of the godown at Dalmianagar is not a clerk and is either a skilled worker or a semi-skilled worker. There is nothing to disbelieve this version of the witness when it is consistent with the action taken by the management on the workman's application for changing the designation of the post which he was holding at Dalmianagar in the godown. So as a fact I find that the concerned workman while in charge of the godown at Dalmianagar before the impugned order of transfer was a fitter and not a clerk. Hence by transferring the concerned workman by the impugned order of transfer to Tuira there is no change in condition of service for which compliance with the provisions of Sec. 9A of the I.D. Act is necessary.

Now I come to the question of victimisation. It is urged on behalf of the union that the concerned workman was founder secretary of the Dehri Rohtas Light Railway Karamchhari Sangh. He worked as such for one and half years and since then for about 10 years he is one of the ten members of the executive body of the Sangh. According to the evidence led by the union the concerned workman takes active part in the trade union activities which incurred the displeasure of the management. The concerned workman it is said in evidence launched a hunger strike from 16-11-73 to 23-11-73 for furtherance of cause of the workman of the Sangh and took active part in various agitations launched by Dehri Rohtas Light Railway Karamchhari Sangh. According to evidence of the union the concerned workman took part in 'Dharna' from 2-12-1977 to 5-12-1977 before the Executive President of the company for payment of bonus to the employees of the Railway for accounting year 1976-77. Mr. Lal for the union therefore urges that it is on account of these trade union activities of the concerned workman, he was transferred from Dalmianagar to Tuira on false pretext that the transfer was necessary for administrative reasons. So far as the concerned workman taking part in 'Dharna' is concerned the period of 'Dharna' being from 2-12-1977 to 5-12-1977 the same was long after the impugned order of transfer and so that cannot be taken into consideration in deciding the question whether the impugned order of transfer is an act of victimisation on the part of the management. Many years have passed between the time when the concerned workman became founder secretary of the Sangh and the time when the impugned order of transfer was passed. If really the management was anxious to get rid of the concerned workman it could not have waited for more than ten years to victimise the concerned workman as claimed by the union by the impugned order of transfer. If the evidence of the union has to be accepted to the effect that the concerned workman launched hunger strike from 16-11-1973 to 23-11-1973 which irritated the management one would normally expect the management to take action against the concerned workman at the time when he took resort to hunger strike or immediately thereafter. Hunger strike was in 1973 whereas the impugned order of transfer came into existence in 1977 i.e. 4 years after the hunger strike. So it is very difficult to accept the contention of the union that hunger strike to which the concerned workman resorted to in the year 1977 incurred the displeasure of the management which took action against the concerned workman in 1977 by passing the impugned order of transfer. That apart according to evidence of the union

after about one and a half years during which the concerned workman was acting as founder secretary of the Sangh he has been working as one of the ten members of the executive body of the Sangh. Nothing has been shown as to why the management will be keen in taking action against the concerned workman only when nine others are also members of the executive body along with the concerned workman. The service records of the concerned workman Ext. W-11 produced by the management shows that on a number of earlier occasions the concerned workman had been suspended and that no punishment was inflicted on him on any such occasion. If really the management as urged by the union was vindictive against the concerned workman it could have punished him on any of these occasions when he had been suspended. Therefore the omission of the part of the management to take action against the concerned workman on any of these occasions when he had been suspended is a very strong circumstance in favour of the management to show that its action is not vindictive as urged by the union. Attempt was made in course of hearing before the Tribunal that the Station Tuira is a penal station. Employees are posted when they are intended to be punished. This case I must say has not been established by the union and has remained as an assertion only. The fact that the concerned workman is still willing to go to Tuira as a clerk which he himself admits in his evidence completely negatives union's case that the Station Tuira is a penal station. That there was a necessary for a fitter at Tuira is amply proved by the concerned workman in his evidence to the effect that when he did not join at Tuira is pursuant to the impugned order of transfer another fitter was posted in his place at Tuira. This shows that Tuira was in need of a Loco Fitter when the impugned order of transfer transferring the concerned workman to that place was passed. That shows the bonafide of the management. The action of the management as it appears has been very fair throughout. After passing the impugned order of transfer the management as shown by Ext. M-6 sent a duty pass to the concerned workman to enable him to join his post at Tuira. This was refused by the concerned workman. This shows his obstinacy, even though the management had promised to him earlier that after the concerned workman joined at Tuira his representation Ext. M-3 against his transfer to Tuira would be considered. Taking the entire evidence both oral and documentary led by the parties into consideration I do not accept the contention of the union that the act of the management in transferring the concerned workman by the impugned order of transfer Ext. M-2 is an act of victimisation for workman's trade union activities. On the other hand I am of the view that the impugned order of transfer is a bonafide one passed by the management in exercise of its managerial function in the best interest of the administration. It is only when an order of transfer is mala fide the same is liable to be struck down. As I have already found the impugned order of transfer is the result of bonafide exercise of managerial powers by the management. Hence the order of transfer cannot be interfered with. See Vol-6 SCLJ, 3832.

It may be noticed at this stage that in spite of the fact that the impugned order of transfer Ext. M-2 was not obeyed by the concerned workman and in spite of the fact that the management served a notice on the workman saying that unless he joined the new post at Tuira he would be taken to have abandoned the job under the management, the management did not take any action against the concerned workman by terminating his service. This was because of the fact that the concerned workman was either trying to raise a dispute over the impugned order of transfer or had actually raised a dispute. The management therefore thought it proper to stay its hand and to await the final decision of the dispute. If as claimed by the union the management was vindictive and was bent upon harrasing the concerned workman it could have taken action against the concerned workman by terminating his service after the expiry of the period of notice given to him. The omission on the part of the management to take action on the concerned workman when he did not obey the impugned order of transfer proves its dignified attitude which is highly commendable. Such an attitude on the part of the management completely negatives the contention of the union that the management is vindictive against the concerned workman for his trade union activities.

Before closing the award I express my deep sense of satisfaction with the able way in which Mr. S. S. Mukherjee and Mr. B. Lal learned counsel for the parties have argued their respective cases emphasizing the points raised by them and in helping the Tribunal in resolving the dispute.

6. For the reasons given above I hold that the impugned order of transfer transferring Sri Sant Kumar Singh, Loco Fitter, from Dalmianagar to Tiara with effect from 26-9-77 is justified and the concerned workman is not entitled to any relief. The reference is answered accordingly. In the peculiar circumstances of the case there will be no order for costs.

B. K. RAY, Presiding Officer

[No. L-41012/3/78-DIIB]

New Delhi, the 29th April, 1981

S.O. 1426.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the Central Public Works Department and their workmen, which was received by the Central Government on the 24th April, 1981.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI.

STATE : Delhi.

I.D. No. 167 of 1977

The General Secretary, All India CPWD
(Elect. Mech. Civil) Labour Union,
13/4429, Pahari Dhiraaj, Delhi.

... Petitioner

Versus ..

The Engineer-in-Chief,
Central Public Works Department,
Nirman Bhavan,
New Delhi.

... Respondent

PRESENT :

Shri Sardar Singh with Shri O. P. Aloora
Shri D. S. Adal for CPWD.

AWARD

The Central Govt. as appropriate Govt. vide its order No. L.42012(55)/74-LR. III(D. 2(B) dated the 1st July, 1975 referred an Industrial Dispute u/s 10 of the I.D. Act, 1947 to Industrial Tribunal, Delhi in the following terms :

Whether the action of the Engineer-in-Chief, Central Public Works Department, New Delhi, in adversely changing the seniority of Shri Sardar Singh, Electrician, is justified? If not, to what relief is the said workman entitled?

2. On receipt of the reference it was ordered to be registered and notices were issued to the parties. The workman side filed a statement of claim on 12-9-75 and a written statement was filed by the respondent on 15-10-75 and replication was filed by the workman side. Thereafter on 11-12-75 the case was adjourned for framing of issues to 17-1-76 on 12-1-76 following issues were framed :

1. Whether Shri Prem Chand is a necessary party and without him the reference cannot proceed(N).
2. As in the term of reference.
3. Whether the dispute has been validly and properly espoused?

3. Issues regarding notice, the CPWD being an Industry and the verification of statement of claim were not framed in so far as a copy of the notice had been filed by the Management and other points were not pressed by the Management. The issue no. 1 regarding Shri Prem Chand being a necessary party was heard by Shri D. D. Gupta, Industrial Tribunal, Delhi and disposed of vide his order dated 11-2-76 and in consequence Shri Prem Chand was impleaded as a party and an amended statement of claim was directed to be filed which was filed on 8-3-76. A written statement was filed by the CPWD on 6-4-76 and by Prem Chand on 3-5-76. Thereafter replication also was filed. But before any further proceedings could be held this case was transferred to this Tribunal in May, 1977 and was ordered to be registered afresh. After the parties appeared evidence of the parties was recorded whereafter arguments were heard. I have gone through the evidence produced by the parties and have heard their representatives at length and after giving my considered thought to the matter before me I have come to the following findings, upon these issues :

4. Issue No. 3 :

The contention of the Management is that the case of the workman has not been espoused much less properly and validly and therefore does not qualify as an Industrial Dispute. In order to prove this issue the workman side has examined Shri T. C. Sethi as W.W.1. He is the General Secretary of All India CPWD (Electrical and Mechanical Union) and he has stated that Sardar Singh was a member of union and the union had passed a resolution espousing the case of this workman and he produced a copy of the said resolution which is Ex. W.W. 1/1. However during cross examination it is admitted by him that he had not brought the minutes book. It is stated by him during cross examination that the said meeting for passing the resolution for espousal was held on 21st October, 1974 but he admitted that he had not brought anything to show that any notice of the said meeting was issued. Similarly it is admitted by him that he had not brought the agenda issued for the meeting allegedly held on 21st October, 1974. It was specifically suggested to him that in fact no meeting was called for or summoned for 21st October, 1974 and no agenda had been issued for that meeting and in any case the question of espousal of case of Shri Sardar Singh did not form part of the agenda of the meeting for 21st October, 1974. Similarly it was suggested that no resolution was passed and that Ex. W.W. 1/1 is a forged document which has been forged later on to meet the objection of the respondent. It has lastly been suggested that it was for this reason that Ex. W.W. 1/1 was on a loose sheet and not on the agenda book or proceeding book or minute book of the union and that what he has stated was not correct. No doubt the witness had denied to this suggestion to be incorrect but in spite thereof no effort what-so-ever was made by the workman or the union representing him to produce either the membership register showing Shri Sardar Singh as the member of the union or the minutes book of the alleged meeting purported to have been held on 21st October, 1974. Similarly no effort has been made to produce the notice issued for the said meeting or the notice purporting to contain the agenda of the said meeting. In the face of the categorical objection of the Management side which was taken up at the earliest opportunity and in view of the failure of the workman side to produce either the membership register or the minute book or the notice for the meeting of 21st October, 1974 or the agenda thereof or any other person who purports to have attended the said meeting it would follow that the workman side has failed to establish that any such espousal as alleged to have been done of the matter in the instant case was in fact done and consequently the workman side must fail on this issue. The burden of establishing this issue was upon the workman side and it has miserably failed to discharge the said burden. It has not cared to produce the proper evidence. Mere production of a copy of Ex. W.W. 1/1 would not establish such a crucial issue which goes to the very root of the matter and accordingly it would follow that the workman side has failed to discharge this burden and establish this issue. It may here be mentioned that although the witness W.W. 1 has stated in his cross examination that the meeting held on 21-10-74 was an ordinary meeting but a perusal of Ex. W.W. 1/1 shows that the said meeting is described therein to be an emergent meeting. For this reason also document Ex. W.W. 1/1 cannot be given any credence. There is yet another important aspect and that is that Ex. W.W. 1/1 purports to be a copy but strangely enough

it bears signatures of seven persons as if it is the original. It has been categorically suggested on behalf of CPWD that Ex. W.W. 1/1 is a forged document. Keeping in view the above discussions it cannot be excluded altogether that Ex. W.W. 1/1 is not a forged document. For my discussions and findings above, issue No. 3 is decided against the workman and in favour of the Management and it is held that the dispute in the instant case has not been validly and properly espoused and until it is so espoused it cannot part-take as an Industrial Dispute and as such the reference would be infructuous and it is held accordingly.

5. Issue No. 2 :

The contention of the workman as disclosed from his statement of claim is that he was employed with the Engineer-in-Chief, CPWD since 6th October, 1947 as wireman II Grade and was promoted as wireman I Grade on 11th October, 1957 and was later promoted as Electrician from 1st March, 1967; that according to the seniority list prepared by the Management for wiremen his name was at serial No. 25 whereas the name of Prem Chand Ahluwalia was at Sl. No. 31; that in the seniority list of electricians name of workman was at Sl. No. 87 and name of Prem Chand was at Sl. No. 89; that the Management had arbitrarily changed the seniority of the workman thereby joining junior to Prem Chand and hence this reference.

6. The contention of the respondent Management is that Shri Sardar Singh was employed with CPWD as Assistant Wireman but he was never promoted as wireman I Grade on 11th October, 1957 or on any other date; that he was promoted as Electrician w.e.f. 1st March, 1967; that an error and discrepancy had crept in the seniority list and when the same was detected it was set right and as such the workman was not entitled to any relief. It is further submitted by the Management that Prem Chand Ahluwalia was employed as wireman Grade II w.e.f. 21st March, 1947 and he was promoted as Wireman Grade I w.e.f. 25th April, 1958 and as such Prem Chand Ahluwalia was all along senior to Shri Sardar Singh and hence the correction of the discrepancy. It has lastly been alleged that the workman was not entitled to any relief. The contention of Prem Chand is almost identical to that of CPWD.

7. In order to prove his case only evidence led by the workman in his statement as W.W. 2 in which it is stated by him that until year 1974 he was declared senior to Prem Chand but all of a sudden his seniority was disturbed to his disadvantage. It is further stated by him that he had not been given any notice before his seniority was disturbed. He has tendered into evidence Ex. R/1 showing his seniority correctly and Ex. W/1, attested copy of the notification allegedly conforming him as from 11th October, 1957. During cross examination it is denied by him that Prem Chand Ahluwalia was senior to him as Assistant Wireman or that any mistake had crept in the seniority list and correction was made to remove that mistake and discrepancy. It is admitted by him that he had filed a representation against re-fixation of his seniority. The most important fact which is admitted by him during cross examination is that he had joined service on 6th October, 1947 as Wireman Grade II and at that time Shri P. C. Ahluwalia was already in service as Wireman Grade II and that he and Mr. Ahluwalia belong to the same zone according to which seniority was prepared. It is finally admitted by him that Prem Chand was promoted as Wireman Grade I on 25th April, 1948.

8.—Thus, from the statement of workman himself it is established that initially Prem Chand Ahluwalia was in service as Wireman Grade II when this workman joined service as Wireman Grade II on 6th October, 1947. This would establish beyond any shadow of doubt that amongst Wireman Grade II certainly Prem Chand was senior to Sardar Singh, workman. It is also admitted by Sardar Singh that Prem Chand was promoted as Wireman Grade I on 25th April, 1948. This would further show that Wireman Grade I being senior post Prem Chand had become still further senior in the promotion post to Sardar Singh. Neither it is stated by Sardar Singh in his statement before this court nor it is proved on record from any other evidence that said Sardar Singh was ever promoted as Wireman Grade I. Therefore if by some mistake his name is shown senior to Prem Chand Ahluwalia, such a mistake would be open to be corrected by the CPWD after it is detected. Even assuming that no notice was issued before this formal correction this would not invalidate the correction. More so when the facts are so established before this court.

9. As against this evidence of the workman the Management has examined Shri S. K. Chopra, S.E., CPWD who has tendered his affidavit Ex. M.W. 1/1 into evidence and during cross examination he has stated that Shri Sardar Singh was shown senior to Prem Chand due to some clerical mistake and the said mistake was detected in the year 1973 and was ratified in 1974.

10. From the perusal of affidavit Ex. M.W. 1/1 of Shri S. K. Chopra, M.W. 1 it would be found that it is stated therein that Shri Prem Chand was initially appointed as Wireman Grade II on 21st March, 1947 as against Shri Sardar Singh who was appointed on 6th October, 1947. The grade was the same and as such naturally Prem Chand was senior to Sardar Singh. It is further stated in para 5 of the said affidavit that Shri Prem Chand was promoted wireman Grade II to wireman Grade I w.e.f. 25th April, 1958 whereas Shri Sardar Singh being junior continued to hold the post of wireman grade II. A perusal of para 6 of his affidavit would show that the discrepancy and error occurred because of the orders of the Government of India in the Ministry of Works, Housing and Supply issued vide their letter No. 20(10)/58-WCI(I) dated 9th April, 1960 which were effective from 1st April, 1958 whereby a person who was drawing maximum of the grade was put in a senior grade and in consequence because of more pay Sardar Singh was shown senior but in so far as Prem Chand had been promoted as wireman Grade I w.e.f. 25th April, 1948 he continued to remain senior to said Sardar Singh and the error was corrected later on. The representative of the workman has not been able to dispute this position and even otherwise this position has been clearly established on record by the testimony of Shri S. K. Chopra coupled with the documents placed on record by the respondent. It is nowhere established by the workman that he was ever promoted as wireman grade I. Admittedly post of wireman grade II was junior to the post of wireman grade I and as such it cannot be said that the action of the respondent CPWD in correcting the seniority list was illegal, void or not justified and as such this issue is decided against the workman and in favour of the Management.

11. In view of my discussions and findings upon issue above, it is held that the action of Engineer-in-Chief, C.P.W.D. New Delhi in adversely changing the seniority of Shri Sardar Singh, Electrician is justified and the said Sardar Singh was not entitled to any relief.

12. It is accordingly awarded that the action of Engineer-in-Chief, CPWD, New Delhi in adversely changing the seniority of Shri Sardar Singh is justified and said Sardar Singh was not entitled to any relief. However the parties are left to bear their own costs in the peculiar circumstances of the case.

Further ordered :

That requisite number of copies of this award may be sent to the appropriate Government for necessary action at their end.

Dated : 10th February, 1981.

MAHESH CHANDRA, Presiding Officer

[No. L-42012/55/74-LR.III]

S. S. BHALLA, Desk Officer

अवधि

नई दिल्ली, 29 मार्च, 1981

का०अ० 1427.—केन्द्रीय सरकार की राय है कि इससे उपाययुक्त अनुसूची में विनिर्दिष्ट विषय के बारे में सैन्ट्रल बैंक ऑफ इंडिया, मद्रास के प्रबंध-तंत्र से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारियों के बीच विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दिष्ट करना वांछनीय समझती है ;

अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 वा 14) की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री टी. सुदरमनम डेनिवाल होंगे, जिसका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्दिष्ट करने के लिए।

अनुसूची

क्या सेंट्रल बैंक आफ इंडिया के प्रबंधक श्री ई. लक्ष्मीनारायण परुमाली सहायक खजाना का पर्सनल बिल्डिंग ब्रांच, मद्रास से मद्रुरै डिप्टीजन और उसके बाद तृतीकोरिन में "प्रार्थना स्थानान्तरण" के रूप में स्थानान्तरण करने और इस प्रकार उन्हें पारिवारिक लाभों और अधिकारों से वंचित करने की कार्रवाई न्यायोचित है? यदि नहीं तो सम्बन्धित वर्गकार किस अनुसूचि का हकदार है?

[सं. एल०-12012(25)/80-डी. II(ए)]

ORDER

New Delhi, the 29th March, 1981

S.O. 1427.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Central Bank of India, Madras, and their workmen in respect of the matter specified in the Schedule hereto annexed:

And whereas the Central Government considers it desirable to refer the said dispute for adjudication:

Now therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Sudersanam Daniel shall be the Presiding Officer, with headquarters at Madras, and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of Central Bank of India in treating the transfer of Shri E. Lakshminarayana Perumall, Assistant Cashier from Addison Buildings Branch, Madras, to Madurai Division and then to Tuticorin as a 'request Transfer' and thus depriving him of consequential benefits and rights, is justified? If not, to what relief is the workman concerned entitled?"

[No. L-12012/25/80-D.II(A)]

New Delhi, the 20th April, 1981

S.O. 1428.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi, in the industrial dispute between the employers in relation to the management of State Bank of Bikaner and Jaipur, Jaipur and their workman, which was received by the Central Government on the 13th April, 1981.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I. D. No. 7 of 1978

STATE : Rajasthan.

Shri Kishore Singh Panwar,
s/o Shri Kani Singh Panwar,
State Bank of Bikaner & Jaipur,
Central Accounts, Bikaner.

Petitioner

VERSUS

The Manager, Personnel Department,
State Bank of Bikaner & Jaipur,
S. M. S. Highway, Jaipur.

... Respondent

AWARD

The Central Govt. as appropriate Govt. vide its order No. L-12012/73/77-L.II-A dated the 3rd January, 1978 referred an Industrial Dispute u/s 10 of the I. D. Act, 1947 to this Tribunal in the following terms:

'Having regard to paras 20.8 & 20.12 of the Bipartite Settlement dated 19-10-1966 whether the management of State Bank of Bikaner & Jaipur is justified in terminating the services of Shri Kishore Singh Panwar w.e.f. 25-1-76 and not absorbing him on permanent basis in the Bank's service? If not, to what relief is the workman entitled?'

1. On receipt of the reference it was ordered to be registered and usual notices were sent to the parties. A statement of claim was filed by the workman side. Thereafter a written statement was filed by the Management. Upon the pleadings of the parties following one issue was framed:

As in the order of reference?

2. I have gone through the pleadings of the parties and have also gone through the evidence led by the parties and after hearing the representatives of the parties and after giving my considered thought to the matter before me I have come to the following findings:

3. The contention of the workman is that he was first appointed as clerk-cum-cashier in the beginning Jessur Gate Branch of the respondent-Bank on 26-8-72 and continued to be so employed with breaks in between till 24th January, 1976; that thereafter a recruitment test was conducted by the respondent on 2-3-75, in pursuance whereof the workman took the said test was declared successful therein; that thereafter the workman was interviewed and was placed in the list of successful candidates for appointment; that the workman has not been absorbed in regular vacancy and hence this reference.

4. The contention of the Management is that no doubt the workman was appointed as stated by him on 26-8-72 and he continued to work as well till 24-1-76 and that he had taken the test also as held on 2-3-75 and was included in the list of successful candidates but in so far as he had failed to achieve the sufficiently senior position in the list of successful candidates but in so far as he had failed to achieve the sufficiently senior position in the list of successful candidates he could not be absorbed on permanent basis inasmuch as the number of vacancies was less than the serial number on which the name of the workman was placed in consequence of the said test and it has been finally submitted that the workman is not entitled to any relief.

5. The workman has come forward as W. W. 1 and has produced his affidavit Ex. W.W.1/1. As against this the Management has examined two witnesses Shri T. N. V. Raman as M. W. 1 apart from Shri P. S. Mathur, M. W. 2 apart from producing certain documents. The statement in chief of all these witnesses was recorded on affidavits and they were cross-examined by the other party.

6. The facts are not in dispute in this case. It has been conceded before me that the workman had put in all 324 days of temporary service till 24-1-76 but at no point of time, he had put in the requisite '240 days of service in one year' so as to entitle him the benefit of N. Sunderman's case decided by the Hon'ble Supreme Court of India and in consequence it was conceded by Shri Prem Kishore, Advocate before me that he did not rely upon the principle of law enunciated in N. Sunderman's case and it was conceded by him that Section 25-F was not attracted to this case.

7. The only other question to be considered is whether the workman was entitled to be absorbed as a permanent employee in consequence of the test taken by him on 2nd March, 1975. In this context I would refer to the affidavits of M.W. 1 and M.W. 2 which are exhibit, M.W. 1/1 and M.W. 1/2 and Ex. M.W. 2/1 and Ex. M.W. 2/2. It is categorically stated by both these witnesses that the workman Kishore Singh did not come in the merit cum-vis-a-vis the

number of vacancies and therefore he could not be offered permanent appointment in the bank. It is further stated in these affidavits that for the purpose of absorption in the permanent service of the bank it is necessary for a candidate to not only qualify in the written test and interview but also to come in the merit list vis-a-vis the number of vacancies. This position that the workman did not come up sufficiently high in the merit list vis-a-vis the number of vacancies, as not denied on behalf of the workman and in that view of the thing it would be difficult to hold that the workman was entitled to be permanently absorbed in consequence of the said examination held on 2nd March, 1975.

8. I would now advert to the documents produced in the instant case. Ex. W/1 to Ex. W/17 are various appointment letters issued to the workman from time to time during his tenure as temporary employee of the respondent bank. These documents do not in any manner help the case of the workman. Rather a perusal thereof only confirms that the provisions of Section 25-F of the I.D. Act, 1947 are not attracted to this case of the workman and accordingly I hold that the provisions of Section 25-F of the I.D. Act were not attracted by the case of the workman. This is not disputed before me that no amount of temporary service by itself confers a right upon a workman for permanent absorption particularly when the provisions of Section 25-F of the I.D. Act are not attracted by the case of this workman and therefore the workman cannot be entitled to absorption on the basis of his temporary service. Coming to the provisions of Bipartite Settlement also it cannot be said that there is anything therein which confers a right upon this workman for regular absorption on mere passing the test. The test conducted by the resp. Bank was a selection test and not purely a qualifying test. As long as the workman had not obtained a position sufficiently senior so as to be covered by the number of vacancies for which the test was held it did not confer any right upon the workman for permanent absorption. The respondent Bank has filed a circular dated 21-6-62 which was issued by the bank authorities which lays down the procedure for regular recruitment. No mistake is sought to be found or no fault is sought to be found regarding the policy of recruitment as enunciated in this circular. Even otherwise from the procedure of recruitment prescribed therein it cannot be said that it is not proper. It is not uncommon that more number of persons than the actual number of vacancies may qualify a recruitment test but that itself would not confer a right upon all qualifying candidates for regular absorption. It has not been urged on behalf of the workman that in the circular whereby this test was held he was given to understand that mere qualifying the test would confer a right upon the candidates to be permanently absorbed irrespective of number of vacancies. On the question of number of vacancies vis-a-vis the position of this workman in the seniority list of the qualifying candidates this court has to essentially rely upon the sworn affidavits of M.W. 1 and M.W. 2 and they have categorically stated therein that this workman has not come up sufficiently senior so as to be appointed keeping in view the number of vacancies. All these facts lead me to the conclusion that the workman is not entitled to any relief in this case.

9. I would here advert to the Bipartite Settlement as well. I have perused the entire settlement. This settlement does not confer any right for permanent absorption of a person who has qualified in a recruitment test. In fact the settlement does not refer to the mode of recruitment. From whichever angle the matter may be considered I do not find any force in the contention of the workman that he was entitled to be permanently absorbed in consequence of his qualifying the test held on 2nd March, 1975, and accordingly it is held that the State Bank of Bikaner and Jaipur is justified in terminating the services of this workman w.e.f. 25-1-76 and not absorbing him on permanent basis in the Bank's service.

10. I have considered the entire question in a larger perspective than which was the scope of order of reference. The order of reference refers to paragraphs 20.8 and 20.12 of Bipartite Settlement dated 19-10-66 but a perusal thereof would show that these paragraphs are only enabling paragraphs and do not confer any right upon this workman particularly in view of the fact that a proper procedure for regular permanent recruitment has been laid down and adopted by the bank in the instant case. Accordingly it is awarded that having regard to paras 20.8 and 20.12 of the Bipartite Settlement dated 19-10-66 the Management of State Bank of Bikaner and Jaipur is justified in terminating the services of Shri Kishore Singh Panwar w.e.f. 25-1-76 and not absorbing him on permanent basis in the Bank's service.

11. No other point has been urged before me.

12. For my discussions and findings above, it is awarded that having regard to paras 20.8 and 20.12 of the Bipartite Settlement dated 19-10-66 the Management of State Bank of Bikaner and Jaipur is justified in terminating the services of Shri Kishore Singh Panwar w.e.f. 25-1-76 and not absorbing him on the permanent service in the Bank's service and that the workman is not entitled to any relief in this reference. However parties are left to bear their own costs.

Further ordered :

That requisite number of copies of this award may be sent to the appropriate Government for necessary action at their end.

MAHESH CHANDRA, Presiding Officer

27th March, 1981.

[No. I-12012/73/77-DII(A)]

S.O. 1429.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the management of State Bank of India, Kanpur and their workman, which was received by the Central Government on the 13-4-81.

BEFORE SHRI MAHESH CHANDRA PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I. D. No. 125 of 1977

STATE : Uttar Pradesh

The President,
Indian National Bank Employees' Congress,
295/387, Deen Dayal Road,
Asharf Road, Lucknow.

... Petitioner

Versus

The Secretary and Treasurer
State Bank of India, Head Office, The Mall,
Kanpur.

Respondent.

AWARD

The Central Government as appropriate Govt vide its order No. L. 12012/75/75/DII/A dated the 19th August, 1975 referred an Industrial Dispute under Section 10 of the I. D. Act, 1947 to the Industrial Tribunal, Kanpur presided over by Shri K. N. Srivastava in the following terms :

"Whether the Management of the State Bank of India is justified in terminating the services of Shri Virandra Pratap Singh, Guard at the Vindhyachal Branch of the said Bank w.e.f. the 16th August, 1973? If not, to what relief is the said workman entitled?

2. On receipt of the reference it was ordered to be registered and usual notices were sent to the parties. After the parties filed their documents before that court, the term of the Presiding Officer came to an end and therefore the appropriate Govt. transferred the case to Central Industrial Tribunal, Delhi but before any proceeding could take place before that Court, the case was transferred to this Court in May, 1977.

3. Thereafter on receipt of this reference before this court, it was ordered to be registered afresh and notices were issued to the parties for appearance and on 28-10-77 I framed the following issue in this case :

Issues :

As in the order of reference. Thereafter the case was fixed for recording of evidence of the parties on 26-11-77 and the evidence of the workman was recorded on that date and the case was fixed for recording of evidence of the Management on 21-1-78. But before any evidence of the Management could be recorded the workman filed an application for amendment of the statement of claim which was granted by me vide my order dated 2-5-79 and thereafter amended written statement was filed by the Bank and finally a rejoinder was

filed by the workman on 9-8-79 but before any further proceeding could take place the parties appeared before me and stated that they want to settle this case and it was thereafter that the case come up before me for disposal.

4. Thereafter the settlement dated 3-3-81 was ordered to be recorded and the statement of representatives of both the parties was recorded as under :

Statement of Shri M. N. Srivastava on SA and Shri O. P. Nigam on SA.

I tender application A/1 and settlement S/1 and award be passed in terms of settlement S/1. Parties be left to bear costs.

5. In view of the above statement and in view of the fact that after considering the settlement Ex. S/1, I find that it is for the benefit of the workman, it was ordered to be recorded and accordingly an award is hereby passed in terms of the settlement Ex. S/1. The settlement Ex. S/1 would form part of this award. However parties are left to bear their own costs.

Further Ordered :

That requisite number of copies of this award may be sent to the appropriate Govt. for necessary action at their end

MAHESH CHANDRA, Presiding Officer

[No. L-12012/75/75-D.II.A)]

Dated : the 11th March, 1981.

New Delhi, the 23rd April, 1981

S.O. 1430.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the management of Central Bank of India, Agra, and their workman, which was received by the Central Government on the 13-4-81.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI.

I. D. No. 9 of 1981.

In re : STATE : Uttar Pradesh

Shri A. K. Saxena C/o Dr. S. K. Saxena,
D-19, Medical College Compound,
Kanpur.

.. Petitioner

Versus

The Divisional Manager,
Central Bank of India, Belanganj,
Agra.

... Respondent

AWARD

The Central Govt. as appropriate Govt. vide its order No. L-12012/138/80-D.II.A dated the 15th January, 1981 referred an Industrial Dispute u/s 10 of the I.D. Act, 1947 to this Tribunal in the following terms :

"Whether the action of the management of Central Bank of India, Agra in terminating the services of Shri A. K. Saxena, clerk with effect from 8.7.75 is justified? If not, to what relief is workman concerned entitled?"

2. On receipt of the reference it was ordered to be registered and usual notices were sent to the parties. The representative of the Management appeared but none appeared for the workman though the notices were issued to the workmen twice and today when the representative of the Management appeared, he submitted that the workman has been reappointed and no dispute subsists between the parties. In view of his submissions his statement was recorded as under :

Statement of Shri B. N. Kak on SA.

The workman has been reappointed by the Bank and therefore this dispute no longer subsists. A no dispute award be made. I tender Ex. M/1 and Ex. M/2.

3. In view of the above statement of the representative of Management, I find that no dispute exist between the parties and accordingly a no dispute award is hereby made in this reference. However in the peculiar circumstances of the case the parties are left to bear their own costs.

Further Ordered :

That requisite number of copies of this award may be sent to the appropriate Govt. for necessary action at their end.

MAHESH CHANDRA, Presiding Officer.

[No. L-12012(25)/80-D.II.A]

Dated : the 6th April, 1981.

S.O. 1431.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the management of the State Bank of India and their workman, which was received by the Central Government on the 13th April, 1981.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI.

I. D. No. 184 of 1977

In re : STATE : Uttar Pradesh

Shri Ramji Prasad Lakhani s/o Shri G. D. Lakhani 3-D,
Lowther Road, Darbhanga Castle, Allahabad.

—Petitioner.

Versus

The General Manager (Operations), State Bank of India, Local Head Office, The Mall, Kanpur.

—Respondent.

AWARD

The Central Government as appropriate Government vide its order No. L-12012/47/77-D.II.A, dated the 4th August, 1977 referred an Industrial Dispute under Section 10 of the I.D. Act, 1947 to this Tribunal in the following terms :

"Whether the action of the Management of State Bank of India, Kanpur in terminating the services of Shri Ramji Prasad Lakhani, Temporary Cashier, Ketchery Road, Allahabad w.e.f. 1st April, 1974 without following the provisions of Section 25F of the I.D. Act, 1947 is justified? If not, to what relief the workman is entitled?"

2. On receipt of the reference it was ordered to be registered and usual notices were sent to the parties. The workman appeared and filed its statement of claim to which a written statement was got filed and finally a replication was filed. Thereafter the Management filed an application for amendment of written statement which was allowed by me and amended written statement was filed by the Management. Thereafter finally the case was put up for evidence and evidence of the parties was recorded but before any arguments could be heard the parties came forward before me and stated that they wanted to compromise and ultimately their statement was recorded as follows :

"Statement of Shri R. P. Lakhani and Bharat Singh on SA and Shri M. N. Srivastava on SA.

We tender application Ex. A/1 and settlement Ex. S/1. Award be passed in terms of Ex. S/1."

3. In view of the above statement I find that the settlement is for the benefit of the workman and therefore I ordered it to be recorded and accordingly an award is passed in terms of settlement Ex. S/1. Parties are however, left to bear their own costs.

Further Ordered :

That requisite number of copies of this award may be sent to the appropriate Government for necessary action at their end.

MAHESH CHANDRA, Presiding Officer:
[No. L-12012/47/77-D.II(A)]

Dated : the 11th March, 1981.

S.O. 1432.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi, in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on the 13th April, 1981.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI.

I.D. No. 122 of 1977

STATE Uttar Pradesh.

The Dy. General Secretary, State Bank of India Staff Association, c/o State Bank of India, The Mail, Kanpur. (Regarding Shri J. N. Mishra)—Petitioner:

Versus

The Secretary and Treasurer, State Bank of India, The Mail, Kanpur. —Respondent

AWARD

The Central Government as appropriate Government vide its order No. L-12012/186/72 LR-III dated the 9th January, 1974 referred an Industrial Dispute to the Industrial Tribunal, Kanpur under Section 10 of the I.D. Act, 1947 in the following terms :

‘Whether the action of the management of State Bank of India, Kanpur in discharging Shri J. N. Mishra, Cashier Basti Branch w.e.f. the 19th January, 1971 is justified? If not, to what relief is he entitled?’

2. After the receipt of the reference usual notices were sent to the parties and the parties filed their written statements and ultimately the following issues were framed by that court :

1. Whether the necessary demand was made by the workman? If not, is the dispute an Industrial Dispute?
2. Is the reference is bad in law?
3. Whether the workman was discharged on the charges of mis-conduct were proved against him in a domestic enquiry conducted by the Bank?

3. Thereafter before any proceedings could taken place before that Court, the case was transferred to Industrial Tribunal-III, Kanpur. But before any proceedings could take place the term of the Presiding Officer of that court expired and the case was transferred to Industrial Tribunal Delhi and ultimately without going any further in the case, the case was transferred to this court in May, 1977. It was ordered to be registered and notices were issued to the parties. Thereafter evidence of the parties in this case was recorded upon issues No. 1 and 2 as preliminary issues and arguments were

heard and the issues were decided in favour of the workman vide my order dated the 27th December, 1978. Thereafter the case was fixed to the evidence of the Management and thereafter for the evidence of the workman and ultimately the case was fixed for arguments. But before the arguments could be heard by me the parties appeared before me and submitted that they have compromised the dispute. It was ordered to be recorded as under :

Statement of Shri J. N. Mishra and M. N. Srivastava on S.A.

Parties have compromised as per C. 1. Award in terms of settlement be passed.

4. After perusing the settlement I find that it is for the benefit of the workman and therefore it was recorded and in view of the settlement Ex. C/1, it is awarded accordingly. The award is accordingly made in terms of Ex. C/1 which will form a part of this award. Parties are however, left to bear their own costs.

Further ordered :

That requisite number of copies of this award may be sent to the appropriate Government for necessary action at their end.

Dated : 11th March, 1981.

MAHESH CHANDRA, Presiding Officer.

MEMORANDUM OF SETTLEMENT DATED 17TH FEBRUARY, 1981 BETWEEN STATE BANK OF INDIA STAFF ASSOCIATION, KANPUR AND STATE BANK OF INDIA, KANPUR

NAME OF THE PARTIES :

1. Representing Employer.—Shri R. P. Singh, Regional Manager Region III, State Bank of India, Regional Office, Lucknow with Local Head Office, at Kanpur.
2. Representing Workman.—1 Shri N. R. Awasthi, General Secretary, State Bank of India Staff Association, Kanpur. 2. Shri J. N. Mishra, Workman.

SHORT RECITAL OF THE CASE

WHEREAS Shri J. N. Mishra S/o Late Shri Rishi Nath Mishra (hereinafter referred to as the ‘‘Workman’’) was employed as Cashier at Basti Branch of State Bank of India Kanpur and his services were terminated by the Bank Management with effect from 19th January, 1971 by way of discharge under para 521(10)(c) of Sastiv Award as retained by Desai Award.

WHEREAS the workman/State Bank of India Staff Association, the Union has raised an industrial dispute challenging the termination of workman’s services by the Bank as collective dispute.

WHEREAS the Central Government, being the appropriate Government, had referred the said dispute to the Central Government Industrial Tribunal, New Delhi presided over by Shri Mahesh Chandra for adjudication vide Reference Order No. L-12012/186/72/LR-III dated 9th January, 1974 and further orders of transfer and the case was marked as I.D. No. 122 of 1977 in the court.

Whereas the adjudication proceedings in the said dispute are pending before the said Authority.

Whereas the Bank and the Union, parties to the dispute, have negotiated and decided to settle the dispute mutually outside the court on the term and conditions mutually agreed upon.

WHEREAS the parties have agreed that this settlement shall be binding on them in terms of section 18 of the 'Industrial Disputes Act, 1947' and copies whereof will be submitted to the appropriate authorities as required under Industrial Disputes Act, 1947 and Rules thereunder.

Sd/- M. R. Awasthi

Sd/- P. P. Trikha

Sd/- J. N. Mishra

17-2-81

NOW IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS :

1. The services of the workman will be deemed to have been terminated with effect from 19th January 1971 by the Bank management and treated as final and binding on the workman.

2. The Bank Management will pay to the workman his back wages from the date of termination till the date of settlement, retrenchment compensation as calculated under the provisions of "Industrial Disputes Act, 1947" and one month's salary and allowances in lieu of notice as detailed hereunder :

- (i) Full back wages for the period commencing from date of termination to the date of settlement.
- (ii) Retrenchment compensation at the rate of salary for 15 days per year of service calculable till the date of settlement.
- (iii) One month's salary and allowances in lieu of notice.

Provided that retrenchment compensation as well as salary in lieu of notice, shall be calculated on the salary which would have been drawn by the workman as on 17th February, 1981, the date of settlement duly revised from time to time till then. Back wages would be payable on salary which would have been drawn by him from time to time as per rules, inclusive of all increments earned in between date of termination and the date of settlement.

Sd/- P. P. Trikha

J. N. Mishra

17-2-81

Provided further that salary in lieu of notice as well as salary and other dues, if any, already received by the workman at the time of termination, will be adjusted in the total payment payable to the workman under this settlement.

3. The workman will be entitled to receive and Bank shall be bound to pay all benefits/dues etc. inclusive gratuity, if payable otherwise, only on the basis of date of termination as specified hereinabove.

4. Bank management will arrange to make the above payments to the workman or his authorised representative within one month from the date of the Central Government Industrial Tribunal, New Delhi accepts this settlement and makes an Award in term of the settlement.

Sd/-

M. R. Awasthi

Sd/-

P. P. Trikha

Sd/-

R. P. Singh

Sd/-

J. N. Mishra

17-2-81

5. All claims of the workman/Union covered by his claim statement filed in the Industrial Tribunal, New Delhi or otherwise will be treated as finally settled and closed for all purposes by this settlement and the workman will have no further claims whatsoever in respect of and arising out of the termination of his services by the Bank management.

99 GI/81—9

6. The parties agree to file this settlement jointly before the Central Government Industrial Tribunal, New Delhi in the above dispute requesting the Hon'ble Tribunal to accept the settlement and pass/make an Award in the said dispute in terms of this settlement.

SIGNATURES : Sd/- J. N. Misra
17-2-81

FOR WORKMAN/UNION

(Sd/- M. R. Awasthi)

()

WITNESSES :

Sd/-

1. K. M. Tripathi
Law Deptt.
2. _____

FOR EMPLOYER

(Sd/- R. P. Singh)

1. Sd/- M. N. Srivastava
Law Officer, State Bank
of India Kanpur L.H.O
2. _____

SIGNATURES :

Sd/- J. N. Mishra

17-2-81

FOR WORKMAN/UNION

(Sd/- M. R. Awasthi)

(Sd/- P. P. Trikha)

ATTESTED

FOR EMPLOYER

(Sd/- R. P. Singh)

[No. L-12012/186/72 LR III D II(A)]

S.O. 1433.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the management of Indian Bank, Chandigarh, and their workman, which was received by the Central Government on the 13-4-81.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL—CUM-LABOUR COURT, NEW DELHI

I.D. No. 188 of 1977

STATE : Haryana

In re :

The Asstt. General Secretary, Indian Bank employees Union, Ambala ... Petitioner

Versus

The Development Manager, Indian Bank 7-C Chandigarh ... Respondent

AWARD

The Central Govt. as appropriate Govt. vide its order No. L-12012/43/77-D.I.I.A dated the 17th August, 1977 referred an Industrial Dispute u/s 10 of the I. D. Act, 1947 to this Tribunal in the following terms :

Whether the action of the Management of Indian Bank is justified in prescribing duties hours from 9.15 hrs. to 1315 hrs. and 1515 to 1815 hrs. in respect of Shri Barkha Ram Peon at B/O Ambala Cantt. of Indian Bank ? If not to what relief is the workman entitled ?

2. On receipt of the reference usual notices were sent to the parties. In pursuance of the said notice workman filed a statement of claim. Thereafter a written statement was filed on behalf of the Management and finally a replication was also filed. Upon the pleadings of the parties following issues were framed for trial vide my order dated the 19th May, 1978 :

1. Whether the workman and the union are estopped from raising the demand in question.

2. As in the order of reference.

3. I have gone through the evidence produced by the parties and have heard their representatives at length and after giving my considered thought to the matter before me, I have come to the following findings upon these issues

4. Issue No. 2 :

I would first take up this issue. The contention of the workman is that he was employed with the Ambala Cantt. Branch of the respondent—Bank w.e.f. 21-7-75; that he was ordered vide office order dated 31-7-76 to observe split duty hours while performing his duties with immediate effect and the said split duty hours were 0915 hrs to 1315 hrs; that the action of the Bank in ordering the workman concerned to work on split duty hours was illegal, unjustified and unreasonable. It is further submitted that the said order is arbitrary, in violation of the Bipartite Settlement and Industrial Dispute Act in so far as the provisions of Sec. 9A of the I. D. Act have not been complied with.

5. The contention of the Management is that after the said split hours of duty were fixed the workman had continued to discharge his duties in split hours and that he had been in receipt of the split duty hours allowance as well and as such was now estopped from raising the dispute.

6. On merits it is contended that the Bank was justified in splitting the duty hours and the order of splitting the duty hours was justified, legal and un-forceable and was not against the Bipartite Settlement or the Industrial Dispute Act. It is contended that the provisions of Sec. 9-A were not attracted.

7. In order to establish his contention the workman has come forward as W.W.1. His statement was recorded in the form of his affidavit in which he has reiterated his stand as taken in his statement of claim. During cross-examination it is admitted by him that Ex. M/1, the order whereby duty hours were split was noted by him. It is also admitted by him that Ex. M/2 was the original order. It is denied by him that he had interjected the words 'noted under protest' later on. As against this evidence of the workman the bank has examined two witnesses. M.W. 1 is Shri V. Narain who has produced his affidavit Ex. M.W. 1/1 bringing out the case of the bank. During cross examination he has denied the suggestion that workman had been objecting to the long hours of the work. M.W. 2 is Shri Y. V. Venogopalan who has tendered into evidence his affidavit Ex. M.W. 2/1 and during cross examination has denied the suggestion that the workman had been objecting to this long hours of work. He has proved the notice Ex. M/1 and has further admitted that no other notice was given of the hours of duty to the workman either u/s 9-A of the I. D. Act or under the Bipartite Settlement.

8. From the consideration of the statements of the workman and S/Shri V. Narain and Y. V. Venogopalan the facts established are that certainly the respondent Management vide office order dated 31-7-76/1-8-76 introduced change in the duty hours by resorting to the split duty hours. From the perusal thereof it is also established that the maximum limit of duty hours has not been violated by the Management in effecting the said split. It is similarly established that the Management has not transgressed the limit of maximum number of hours regarding this duty to be performed by the workman. From the perusal of Ex. M/1 or Ex. M/2 it is certainly established that sufficient notice of the proposed change was given to the workman in accordance with the provisions of para 14.5 of the Bipartite Settlement. Similarly it is also established that the split duty hours are envisaged in the Bipartite Settlement itself as a reference to paras 14.5 and 9.7 of the Bipartite Settlement would show. There is nothing to suggest that there is any violation of either para 9.7 or para 14.5 or even 14.4 of the Bipartite Settlement in

effecting the split in the duty hours of this workman. It is admitted by the workman in para 1(b) of his replication that he was in receipt of the requisite split hours allowance but his contention is that split hours allowance was not compensation for the illegal action of the Management. It is not denied by the said split hours allowance being put to the workman was arrived at and agreed to in a Bipartite Settlement which would now be binding upon the workman. Keeping in view all these facts as established on record it would be difficult for me to hold that the order of split hours of the Management was not justified or illegal and enforceable. The order is perfectly valid in accordance with the Bipartite Settlement and has been enforced after due compliance with the requirements of the said settlement as to notice etc. and payment of split duty allowance. In the face of all these facts the only conclusion which can be arrived at is that the action of the Bank is justified. In so far as the Bipartite Settlement paras 9.7, 14.4 and 14.5 vest powers in the Bank—Management to split out allowance it cannot be said that it is a change in the service conditions within the meaning of Section 9-A of Industrial Dispute Act and as such no notice u/s 9-A was either called for. What the bank has purported to do is in pursuance of an agreement arrived at between the recognised union of the workers and the Management of the Bank and therefore it cannot be said that any change has been effected within the meaning of Section 9-A and conclusively I hold that it is not attracted. From whichever angle I may consider the matter before me I find that there is absolutely no weight in the contention of the workman and accordingly it is awarded that the action of the Management of Indian Bank in prescribing duty hrs. from 9.15 hrs. to 13.15 hrs and 15.15 hrs. to 18.15 hrs in respect of Shri Barkha Ram. Peon at Branch office at Ambala Cantt. of Indian Bank is justified and the workman is not entitled to any relief what-so-ever in this reference.

9. In view of my findings upon issue no. 1 this issue is of no consequence. However the fact that the workman has been receiving split duty allowance for sufficiently long period would go to suggest that certainly this dispute was an after thought and the respondent have a case on this aspect of the matter. However in so far as the matter under reference is a collective dispute the individual action of the workman in having received the split duty allowance cannot estop the union from raising the dispute and accordingly I hold that in spite of receipt of split duty allowance by the workman the Indian Bank Employees' Union is not estopped from raising this Industrial Dispute.

10. For my discussions and findings upon issues above, it is awarded that the action of the Management of Indian Bank in prescribing duty hours from 9.15 to 13.15 and 15.15 to 18.15 in respect of Shri Barkha Ram peon at Branch office Ambala Cantt. of Indian Bank is justified and the workman is not entitled to any relief what-so-ever. However parties would bear their own costs.

Further ordered :

That requisite number of copies of this award may be sent to the appropriate Govt. for necessary action at their end.

MAHESH CHANDRA, Presiding Officer
[No. L-12012/43/77 D II (A)]

Dated, the 24th March, 1981

S.O. 1434.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the management of Central Bank of India Lucknow and their workman, which was received by the Central Government on the 15.4.81

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NEW DELHI

I.D. No. 27 of 1980.

In re :

The General Secretary, U.P. Bank Employees' Congress, Vijay Hotel, Railway Road, Allahabad ... Petitioner

Versus

The Manager, Central Bank of India, Regional Officer,
U.P. State, Akash Deep, 2nd Floor 23, Vidhan
Sabha Marg, Lucknow-226001 ... Respondent

AWARD

The Central Govt. as appropriate Govt. vide its order No. L-12012/48/79-D.II.(A) dated the 2nd May, 1980 referred an Industrial Dispute u/s 10 to this Tribunal in the following terms :

Whether the action of the management of Central Bank of India in transferring Shri S. K. Kapoor, Clerk from Station Road, Branch Moradabad to Khairabad is justified ? If not, to what relief is the concerned workman entitled ?

2. On receipt of the reference it was ordered to be registered and usual notices were sent to the parties. In pursuance whereof a statement of claim was filed. Thereafter a written statement was filed by the Bank and the case was adjourned for replication of the workman to 28th July, 1980, but on that date none appeared for the workman and the case was adjourned to 27th August, 1980 and a fresh notice was issued to the workman to appear on that date. None appeared for the workman on 27th August, 1980 in spite of the said notice having been issued and in pursuance whereof ex-parte proceedings were ordered against the workman and the bank was directed to produce its ex-parte evidence. The Bank has today produced ex-parte evidence which has been recorded and which consists of statement of Shri S. Trivedi, Deputy Chief Officer (Law) of the Bank as M.W. 1. He has tendered his affidavit Ex. A/1 in support of the defence taken up by the Bank in its written statement and has also filed Ex. M/1, copy of the order dated 22nd of July, 1978 as also Ex. M/2 attested copy of the minutes of discussions and decisions arrived at in a joint meeting of All India Central Bank Staff Federation and the bank authorities. It is now submitted in the affidavit that in pursuance of the item no. 8 in Ex. M/2 no dispute any longer subsists and the workman has been transferred from Khairabad to Rampur, a place at a distance of 17 miles from Moradabad. I have perused Ex. M/2 and the affidavit Ex. A/1 and I find that certainly in pursuance of the negotiations and agreement Ex. M/2 the workman has been transferred to Rampur by the Bank authorities and the matter stands compromised and no dispute subsists any longer. This explains the absence of workman side consecutively for the last three hearings. In view of my discussions above, a no dispute exists between the parties and the award is passed accordingly leaving the parties to bear their own costs.

Further Ordered :

Requisite number of copies of this award may be sent to the appropriate Govt. for necessary action at their end.

Dated : the 29th August, 1980.

MAHESH CHANDRA, Presiding Officer.

[No. L-12012/48/79 D.II.(A)]

New Delhi, the 25th April, 1981

S.O. 1435.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the management of Grindlays Bank, Cochin and their workmen, which was received by the Central Government on the 20-4-81.

BEFORE THIRU T. SUDARSANAM DANIEL,
B.A., B.L., PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, MADRAS.

(Constituted by the Government of India)

Friday, the 3rd day of April, 1981

Industrial dispute No. 70 of 1980

In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Grindlays Bank, Cochin.

BETWEEN

The workmen represented by
The Secretary,
Grindlays Bank Employees Union,
Bristow Road, Willingdon Island,
Cochin—682003.

AND

The Manager,
Grindlays Bank Limited,
Bristow Road,
Willingdon Island,
Post Box 501,
Cochin—682003.

REFERENCE :

Order No. L-12011/7/79-D.II.A., dated 24-9-1980 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Wednesday, the 18th day of February, 1981 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiruvallargal N. P. Pai, President and M. S. Bhat, Secretary of the Union and of Thiru R. K. Ghotgalkar, Chief Manager, Personnel and Industrial Relations, for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

This is an Industrial Dispute between the workmen and the Management of Grindlays Bank Limited, Cochin-3 referred to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in Order No. L-12011/7/79-D.II.A, dated 24-9-1980 of the Ministry of Labour, in respect of the following issues :

- (i) Whether the action of the management of the Grindlays Bank Limited in deducting from the wages of the workmen employed at Willingdon Island Branch of the Bank at Cochin for March, 15, 1978 wages for six minutes is justified ? If not, to what relief are the workmen concerned entitled ?

Sl. No.	Name	Department	Designation
1.	A.K. Ramachandran	Deposits	Special Assistant.
2.	B.C. Pereira	Advances	Clerk
3.	D.B. Pai	Deposits	"
4.	D.M. Pai	"	"
5.	E.L. D'Cruz	"	"
6.	Mrs. Flora Austin	Telephone Operator	
7.	H.P. Shenoy	Deposits	Clerk
8.	K.A. Kader Khan	Correspondence	Clerk
9.	K.A. Mathow	Deposits	Head Clerk
10.	K.P. Mallia	"	Typist
11.	L. Venkatachalam	Cash	Cashier
12.	L.C. Prabhu	Deposits	Head Clerk
13.	L.V. Vaidyanathan	Bills	Clerk
14.	M.S. Bhat	Accounts	Clerk
15.	M.P. Menon	Accounts	Special Assistant
16.	N.P. Pai	Deposits	Head Clerk
17.	N.R. Pai	Remittances	"
18.	N.U. Pai	Deposits	Clerk
19.	N. Ravindran	Clearing	"
20.	P.G. Jacob	Deposits	"
21.	R.N. Prabhu	Bills	"
22.	R. Narayanan	Cash	Cashier
23.	V.P. Menon	Accounts	Clerk
24.	V.N. Prabhu	Deposits	"
25.	Francis Alvarez		Driver/Peon
26.	K. Pushkaran	Correspondence	Peon
27.	N.S. Thangappan	Manager's	Manager's Peon
28.	P.S. Prabhu	Correspondence	Peon
29.	N.S. Damodaran	"	Peon
30.	V.L. Antony	Cash	Peon

- (ii) Keeping in view the relevant terms of settlements dated 29-4-1970 and 14-1-1977 arrived at between the management of Grindlays Bank Limited and the All India National Bank Employees Federation, whether the action of the Management named above in filling up the vacancies in the managerial cadre (Job Grade-I) in the Cochin Centre of the Bank by transferring employees from other centres instead of by promoting eligible workmen in clerical cadre of the Cochin Centre, is justified? If not, to what relief are the workmen concerned entitled?

(2) Facts leading upto this dispute are as follows :

The Management is Grindlays Bank Limited, Bristow Road, Wulfrington Island, Post Box 501, Cochin-682003, Kerala State. The workmen of the Management are represented by Grindlays Bank Employees Union, Cochin-3, Kerala State. The Government of India has referred two issues to this Tribunal for adjudication as indicated in the schedule to the reference of the Government of India. On the ground that the 30 employees mentioned in Issue No. 1 illegally stopped work for six minutes on 15th March, 1978 the Management deducted wages of these employees for six minutes when the wages to the employees for the month of March, 1978 was paid. The reference made by the Government of India enjoins this Tribunal to find out if this action of the Management is justified. For the purpose of dealing with this action of the Management, it is unnecessary for me to dilate upon the conflicting claim of the employees and the Management with regard to how the incident had taken place on 15th March, 1978. In short, the case of the Management is that these workmen/staff illegally struck work for six minutes and as the workmen did not perform any work for the period of six minutes, they are not entitled to wages for that period on the principle that "no work no pay". Support for this position is sought to be had from Division Bench Ruling of the Madras High Court reported in 1979—1 L.L.J.—Page 122 (V. Ramachandran vs. Indian Bank), where their Lordship Honourable Justice Mohan and Nair Sundaram, JJ have held that "in order to earn his wage, an employee will have to do his duty and absence from duty undoubtedly, would mean that the employee had not worked during the period of absence and the principle adopted would be "no work no pay". However, a closer reading of this decision would disclose that that decision was rendered on the ground that the workmen absented themselves from place of work. Actually in paragraph (18) their Lordships have pointed out "Our above decision is not to be understood that in every case, though with full justification, if an employee leaves his desk the employer will be entitled to deduct wages during the period of absence." The Management also relies on subsequent decision of our High Court reported in 1981-I-L.L.J.—Page 64 (V. Ganesan vs. The State Bank of India and others). It must be remembered that this decision and also the earlier citation relied on by the Management had been rendered under Article 226 of the Constitution of India. In the 2nd decision also, the employees had staged a demonstration for a duration of 30 minutes during working hours and the Management had deducted wages for the whole day irrespective of the duration of the demonstration. Eventually the High Court held that "in the absence of any statutory provision or any provision in the contract of employment authorising the Bank to deduct one day's salary if an employee absents himself for a part of the day, the Banks will not have jurisdiction to deduct the salary for the period which he had worked for the day." The High Court has also made it perfectly clear that I may repeat, I have not considered the question whether the Banks will be entitled to deduct pro rata salary for the period of absence of an employee." Thus, from these two decisions, all that can be said is in order to earn his wages, an employee will have to do his duty and absence from duty, undoubtedly, would mean that the employee had not worked during the period of absence and the cardinal principles

remains "no work no pay". With this background, it has to be considered whether the action of the Management in having deducted six minutes wages from these workmen is justified. It is true that Bipartite settlement between the employees and the Banks deal with disciplinary action and procedure therefor.

But the stand of the Management is that the action of the Management is only on the basis that the employees did not work for six minutes on 15-3-1978 and therefore they are not entitled to wages for that six minutes period and the Management would maintain that action does not in any way prohibit the Management's right to initiate appropriate disciplinary action for misconduct if deemed necessary. Therefore, the thing is pretty clear that according to the Management the action in deducting wages for six minutes from these workmen on 15-3-1978 was not a disciplinary action but was on the only ground that as the workmen did not do work for six minutes on that day they are not entitled to any wages during that period on the wellknown principle "no work no pay". However, the Management in order to justify their action have to establish (1) that there was actual stoppage of work for a period of six minutes on 15-3-1978 and (2) that all these 30 workmen had in fact stopped to cease to work during that period of six minutes. The stand of the employees is that the pay of the employee is his property and no employee can be deprived of his pay except in due process of law. In the absence of any specified provision in the contract of employment or any statute the Bank has no inherent power or authority to deduct any part of the salary of the award staff unless a case is made out to deduct the same. Admittedly, the Management has charge-sheeted the President of the Petitioner-Union Thiru V.M. Bhat for the alleged incident which took place on 15-3-1978. In this context, I may only advert to the latest decision of the Supreme Court reported in 1980-I-L.L.J. Page 137 (Gujarat Steel Tubes Ltd., vs. Gujarat Steel Tubes Mazdoor Sabha), where the Supreme Court has pointed out that any action taken under the general law or the standing orders was illegal in the absence of individualised charge-sheets, proper hearing and personalised punishment. Although the decision would apply to disciplinary proceedings, it would all the more apply when the Management would like to deduct the wages of the workmen without any enquiry whatsoever. Admittedly, apart from the President of the Petitioner-Union to whom a charge sheet was issued no individual notice whatsoever has been issued to any of these 30 workmen. The arbitrary nature of the action taken by the Management can be further demonstrated as follows : Originally, the Management cut the wages for six minutes for 32 employees for such cessation of work on 15-3-1978. Significantly, Ex. M-2 which is said to be the notice of the Management dated 16-3-1978 is addressed only to the Petitioner-Union and not to individualised workers. Moreover, Ex. M-2 only indicates that "some" members of the staff ceased work. It is undisputed that as on that there were 38 clerks and 20 sub-staff workers working in this Branch. Ex. M-2 would further indicate that such members of the staff are hereby informed that they are not entitled to wages for the period of absence from duty on 15th March, 1978 on the principle of "No work No pay". Even then, who were the members of the staff who had actually ceased to work on 15-3-1978 had not been mentioned in Ex. M-2. No individual notice had been sent to the workmen. On the other hand, on 16th March, 1978 the Management had submitted a report in Form 'N' of the Schedule to the Industrial Disputes (Central) Rules, 1957 to the Assistant Labour Commissioner (Central) Ernakulam, Cochin-682016, a copy of which is marked as Ex. M-3. In column (4) of Form 'N', annexure to Ex. M-3, it is noted that the number of workers involved as 32. Even then, no list of these 32 workmen involved had been furnished. While so the Petitioner Union raised an Industrial Dispute before the Assistant Labour Commissioner (Central), Ernakulam, Cochin-16 on 4-9-1978 and the Management also participated in the discussions. Eventually in January, 1979, conciliation failure report was submitted to the Government of India. Ex. M-4 is the copy of the Report. While so, in the conciliation proceedings, a specific point was taken up by the Union that two out of the 32 employees, viz. Thiru A. P. Kalyanasundaram and Thiru K. Kumaran were not at all at the time of this alleged incident on 15-3-1978. It may be noted even with regard to these two employees also the Management had cut the wages for six minutes for cessation of work on 15-3-1978. The hard fact remains that during the conciliation proceedings

the Management-Bank had refunded the wages cut to those two employees. In paragraph (7) of the counter statement at page (3), the Management would say that on investigation, it was found that Thiru Kumaran and Thiru Kalyanasundaram had accompanied the Chief Cashier of the State Bank of India and so the wages for the strike period to them were given. Therefore, it is perfectly clear that only on further investigation, the Management could find out the actual number of persons who had in fact participated in the so-called cessation of work on 15-3-1978. In the case of these two employees, it almost took 6 to 8 months for the Management to complete their investigation to conclude that these two employees did not actually participate in the cessation of work on 15-3-1978 and therefore it was that during conciliation proceedings in October, November and December, 1978, the Management wisely thought to refund the wage cut made against those two employees. This instance is detailed out to demonstrate that unless and until the Management establishes the actual stoppage of work by all the 30 or any of these workmen, then alone the Management can have a right to cut the wages on the principle "No work No pay". But the action of the Management is just the reverse. It is putting the cart before the horse and it is not for the Petitioner-Union or the 30 workmen to show that they did not cease to work for six minutes on 15-3-1978. I may also point out that the six minutes wages with regard to these 30 workmen was hardly in the region of Rs. 18. In this connection the Management was prepared to pay a sum of Rs. 500 for a single adjournment being granted at the Management's request. One is only reminded of a few lines from Shakespeare's "Merchant of Venice", where the famous Jew Shylock wailing over the loss of his daughter cries as follows :

"And I know not what's spent in the search. Why, thou
loss upon loss ! the thief gone with so much and
so much to find the thief."

Looked at from any angle the action of the Management in cutting wages of these 30 employees for six minutes on 15-3-1978 without acceptable materials or enquiry must be held to be opposed to all principles of natural justice and hence unjustified. It follows that these 30 workmen would also be entitled to the refund of wage cut for six minutes out of their wages for 15-3-1978.

(3) The 2nd issue mentioned in the Schedule to the reference made by the Government of India relates to the action of the Management in filling up the vacancies in the managerial cadre (Job Grade-I) in the Cochin Centre of the Bank by transferring employees from other centres instead of by promoting eligible workmen in clerical cadre of the Cochin Centre. Even at the outset, it must be distinctly borne in mind that promotion vests with the Management in their managerial function. However, the reference made by the Government of India refers to two settlements dated 29-4-1970 and 14-1-1977 arrived at between the Management of Grindlays Bank Limited and the All India National Bank Employees Federation, whereby the Management had agreed to regulate their right of promotion to Job Grade-I from among workmen in the clerical cadre. Neither the Management nor the Petitioner-Union has placed before this Tribunal the relevant terms of Settlement dated 29th April, 1970 referred to in Issue No. 2 of the order of the Government of India. However, according to the Management in paragraph (3) of the counter statement, this settlement dated 29-4-1970 governing promotion policy of the Bank's workmen staff was lawfully terminated by a notice dated 11th November, 1974, a copy of which is enclosed as Annexure-1 to the counter statement filed by the Management. In the notice of termination of the settlement, the Management further informed the All India National and Grindlays Bank Employees' Federation, of which the Petitioner-Union is a constituent

Union that from February 20th, 1975, promotion will be governed by paragraph 529 of the Sastri Award. Apparently, the Federation was not quite happy with the provisions as existing under paragraph 529 of the Sastri Award. Therefore, there were protracted negotiations between the Management and the Federation with regard to the promotion policy of the workmen staff and eventually they entered into a settlement dated 14-1-1977 which has also been specifically referred to in the 2nd issue referred to this Tribunal by the Government of India. This Memorandum of Settlement dated 14-1-1977 was enclosed in the counter statement has been marked as Ex. M-1. No doubt, this is a settlement, whereby workmen in clerical cadre in the respective Centre would be entitled to be considered for promotion as Job Grade-I in the respective Centres. But unfortunately, there is no agreement whatsoever between the Management and the workman as to the quota of the employees to be promoted from the clerical cadre. With regard to Grade-I service, certainly, the Management has every reasonable right to post the officer to places where the exigencies of conditions warrant. The Management has every reasonable right to post the officers to places representation to be given from the clerical cadre of workmen. The terms under Ex. M-1 clearly lay down the conditions which must be fulfilled for a worker in the clerical cadre to be considered for being promoted to Job Grade-I in the Managerial cadre. But in Ex. M-1 there is nothing to infer that the vacancy arising at a particular Centre must be filled up from the clerical cadre. The Management is an Exchange Bank having its Principal office in India at Bombay and branches at Calcutta, Delhi, New Delhi, Madras, Bangalore, Hyderabad, Tuticorin, Amritsar, Kanpur, Simla, Sinagar, Gauhati and Darjeeling. As pointed out by the Management, the Settlement under Ex. M-1 does not prohibit the Management from transferring officers from one Centre to another Centre within India. It is true that in the year 1975, there arose two vacancies in the officers cadre at Cochin Branch due to the resignation of Thiru V. Karunakar and retirement of Thiru B. N. Prabhu. But the Management has decided not to fill up these vacancies by promotion from clerical cadre. The Management also maintains quite rightly that Management is in the best position to judge as to how the vacancies in the officers cadre should be filled and this cannot be called into question by the Union even under the terms of Settlement in Ex. M-1 Clause (2) of terms of settlement Ex. M-1 would only indicate that approximate number of vacancies would be displayed on the Notice Board of every branch in the Centre at least two months before the date of the written test. That contingency would arise only when the Management desires to fill up the vacancy from among the clerical cadre. No employee has a vested right as such to promotion and while this Tribunal can fully appreciate the longings and ambition of the workmen to be promoted in terms of Settlement Ex. M-1, the Tribunal has no jurisdiction to usurp the managerial function of the Management to hold that the Management shall fill up a particular vacancy in the officers cadre only from the clerical cadre. Moreover, the transfer of some officers to the Cochin Branch by the Management is not shown to be with ulterior purpose of by passing the terms of settlement arrived at under Ex. M-1. Doubtless, the Management has right to transfer Class-I Officers among the various branches listed in India referred to earlier and so long as the action of the Management is not shown to be vindictive, this Tribunal has no jurisdiction to hold that any promotion policy as agreed to has been openly flouted or expressly violated by the Management. Hence the action of the Management cannot be held to be unjustified.

(4) However, before I part with this case, I want to express in unmistakable terms that even if the Management does not feel its way to enter into any settlement with the Federation with regard to the ratio of clerical cadre to be promoted to managerial cadre, yet regard being had to the spirit and tenor of the terms of settlement entered into under Ex. M-1 which terms are said to have been arrived at according to the Management after protracted negotiations, it is just, fair and equitable for the Management to declare explicitly, their promotion policy at least in future with regard to the ratio of direct recruits to be absorbed by the Management in the managerial cadre to the promotion from among the clerical cadre to the managerial cadre for otherwise the so called benefits sought to be conferred on the workmen in clerical cadre in terms of Ex. M-1 would only remain illusory and of no practical import.

In the result, an Award is passed as follows :

- (i) Under Issue No. 1, I hold that the 30 workmen would be entitled to the refund of wage cut for six minutes out of their wages for 15-3-1978.
- (ii) With regard to Issue No. 2, I hold that the action of the Management is not unjustified.

In the peculiar circumstances, I direct the parties to bear their respective costs.

Dated, this 3rd day of April, 1981.

T. SUDARSANAM DANIEL, Presiding Officer.

WITNESSES EXAMINED

For both sides : None

DOCUMENTS MARKED

For workmen

- Ex. W-1/30-6-77—Extract from the Western India Staff Bulletin No. 38.
- Ex. W-2/29-7-77—Extract from the Western India Staff Bulletin No. 39.
- Ex. W-3/27-3-78—Letter signed by the employees to the Assistant Manager of the Bank, Cochin about the incidents happened on 16-3-1978.

Ex. W-4—Page 33 of the enquiry proceedings.
For Management

- Ex. M-1—Terms of settlement dated 14-1-77 reached before the Regional Labour Commissioner (Central), Calcutta. (Annexure-2 of the counter statement) (true copy).
- Ex. M-2/16-3-78—Bank's notice stating that some employees are not entitled to wages for the period of absence from duty on 15-3-1978. (true copy).
- Ex. M-3/16-3-78—Letter from the Bank to the Assistant Labour Commissioner (Central), Cochin enclosing report of cessation of work and agitation.
- Ex. M-4/16-1-79—Conciliation failure report. (true copy)
- Ex. M-5—Page 23 of the enquiry proceedings—Statement of Thiru A. Gupta.
- Ex. M-6/16-3-78—Show cause notice issued to Thiru N. P. Pai.
- Ex. M-7/18-3-78—Reply of Thiru N. P. Pai to Ex. M-6. (copy)

T. SUDARSANAM DANIEL, Presiding Officer

[No. L-12011/7/79-D II A]

Note : Parties are directed to take return of their document/s within six months from the date of publication of this Award.

S.O. 1436.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the management of State Bank of India, Jaipur and their workman, which was received by the Central Government on the 6-4-81.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I.D. No. 46 of 1977

In re :

STATE : Rajasthan

Shri Praveen Kumar Nangla, 98, Raja Park,

Ram Gali 6, Jaipur

... Petitioner

Versus

The Branch Manager, State Bank of India,

Station Road, Jaipur

... Respondent

PRESENT :

Workman in person

Shri S. Mishra, Asstt. Law Officer of the Bank.

AWARD

The Central Government as appropriate Government vide its order No. L-12012/154/76-D.II.A dated the 4th April, 1977 referred an Industrial Dispute u/s 10 of the I.D. Act to this Tribunal in the following terms :—

'Whether the action of the State Bank of India, Jaipur in terminating the services of Shri P. K. Nangia, Clerk w.e.f. 29-8-74 is legal and justified? If not, to what relief is the workman entitled?'

2. On receipt of the reference it was ordered to be registered and usual notices were sent to the parties. In pursuance of the said notice a statement of claim was filed on behalf of the workman. Thereafter a written statement was filed. Upon the pleadings of the parties only issue which arose was as in the order of reference. Thereafter the case was adjourned for evidence. After the evidence of the workman was recorded talks for compromise started between the parties and the case continued to be postponed on that score. On the 1st of December, 1980 an offer was made by the workman that 'if the bank pays me suitable compensation for wrongful termination of my services, I am prepared to forego the claims of reinstatement.'

In pursuance of the said offer Shri S. Mishra wanted to consult his superiors and after he reported that the Management of the respondent bank was not averse to the offer of the workman, statement of workman was recorded on 9th of January, 1981 in which it was stated by him that 'if the bank is prepared to pay Rs. 6500 in lump sum to me in satisfaction of my entire claim in this reference an award for such payment may be made. In that event I claim no other relief.' In pursuance of the above statement a cheque for Rs. 6500 has been delivered to Shri P. K. Nangia today in the court by Shri S. Mishra and following statement of Shri P. K. Nangia has been recorded :

'I have received a cross cheque in satisfaction of the arrangement arrived at on 13-2-81. A settlement award may now be passed.'

3. In these circumstances a no dispute settlement award is hereby made in the matter under reference. Parties would bear their own costs.

Further Ordered :

That requisite number of copies of this award may be sent to the appropriate Government for necessary action at their end.

MAHESH CHANDRA, Presiding Officer

[No. L-12012/154/76-D.II(A)]

N. K. VERMA, Desk Officer

At Jaipur,

Dated : the 19th March, 1981.

नई दिल्ली, 18 अप्रैल, 1981

का० जा० 1437.—केन्द्रीय सरकार, लौह अयस्क खान और मँगनीज अयस्क खान श्रम कल्याण निधि अधिनियम, 1976 (1976 का 61) की धारा 10 के अनुसरण में 31 मार्च, 1980 को समाप्त होने वाले वर्ष के दौरान उक्त अधिनियम के अधीन वित्तपोषित क्रियाकलापों की निम्नलिखित रिपोर्ट उस वर्ष के लेखा विवरण के साथ इसके द्वारा प्रकाशित करती है।

भाग-1

(क) साधारण—लौह अयस्क खान श्रम कल्याण उपकर अधिनियम, 1961 लौह अयस्क पर उपकर के उद्वहन और संग्रहण का तथा लौह अयस्क खान उद्योग में कार्य करने वाले श्रमिकों के कल्याण की अभिवृद्धि

करने के क्रियाकलाप के वित्त पोषण का उपबंध करने के लिए अधिनियमित किया गया था। अधिनियम 1 अक्टूबर, 1963 को प्रवृत्त हुआ था और 1 अक्टूबर, 1964 को उसका विस्तार गोवा वमण और दीव संघ राज्य क्षेत्र की कर दिया गया। पूर्वोक्त अधिनियम लौह अयस्क खान और मैंगनीज अयस्क खान श्रम कल्याण उपकर अधिनियम, 1976 (1976 का 55) और लौह अयस्क खान और मैंगनीज अयस्क खान श्रम कल्याण विधि अधिनियम, 1976 (1976 का 61) द्वारा प्रतिस्थापित कर दिया गया है। नए अधिनियमों में नियति किए गए और अंतर्वेशीय उपमुक्त लौह अयस्क के प्रति मीटरी टन पर अधिक से अधिक एक रुपया और मैंगनीज अयस्क के प्रति मीटरी टन पर छह रुपया की दर से उपकर उद्ग्रहण करने का उपबंध किया गया है, किन्तु उद्ग्रहण की वर्तमान दर लौह अयस्क पर प्रति मीटरी टन 25 पैसे और मैंगनीज अयस्क पर प्रति मीटरी टन 1 रु० है। उपकर के भागों का उपयोग मुख्य रूप से लोक स्वास्थ्य और स्वच्छता में सुधार, रोग निवारण, शैक्षिक सुविधाओं और चिकित्सीय सुविधाओं की व्यवस्था और उनमें सुधार और जल प्रदाय योजनाओं सामाजिक दशाओं में बेहूतरी और आमोद-प्रमोद भावि की सुविधाओं के उपबंध भावि के लिए किया जाता है। कल्याण सुविधाएं सीधे नियोजित कर्मचारों या ठेकेदारों के माध्यम से नियोजित कर्मचारों को दी जाती है।

उपकर नियति किए गए लौह/मैंगनीज अयस्क पर सीमा शुल्क के रूप में और अंतर्वेशीय रूप में उपयुक्त लौह/मैंगनीज अयस्क पर उत्पादन शुल्क की रूप में आयुक्तों के रूप में ओषित किया गया है और अंतर्वेशीय उपभोग कर उपकर उद्ग्रहीत किया जाता है। कल्याण आयुक्त को भी उपकर के संग्रहण के प्रयोजनार्थ उनकी अधिकारिता भी अधिसूचित की गई है। सीमा शुल्क के रूप में कल्याण उपकर का संग्रहण सीमाशुल्क विभाग द्वारा किया जाता है जिसे संग्रहण प्रचार के रूप में 1/2 प्रतिशत दिया जाता है।

(ख) कल्याण कार्य: विभिन्न शीर्षों के अधीन कल्याण कार्य नीचे दिए गए हैं, जिन पर वर्ष के दौरान कल्याण निधि के पूंजी लगाई गई है।

(1) चिकित्सीय सुविधाएं:—

730 रुपये प्रतिमास मूल वेतन पाने वाले लौह अयस्क/मैंगनीज अयस्क श्रमिकों तथा उनके आश्रितों को चिकित्सा सुविधाएं संगठन द्वारा मुफ्त दी जा रही थी। अब इस सीमा को बनाकर 1000/-रुपये वेतन पाने वालों तक कर दिया गया है: कर्मचारों और उनके आश्रितों को, संगठन द्वारा लौह अयस्क उत्पादक राज्यों में स्थापित निम्नलिखित अस्पतालों/ओषधालयों आदि में चिकित्सीय सुविधाएं निःशुल्क उपलब्ध कराई गई हैं:—

बिहार:

- (1) केन्द्रीय अस्पताल, बड़ाजामदा (50 शैयाएं)
- (2) जल चिकित्सा ओषधालय, बड़ाजामदा।
- (3) ऐलोपैथिक ओषधालय, करमापाड़ा (बराहबुरु के समीप)
- (4) ऐलोपैथिक ओषधालय, नुइया।

उड़ीसा:

- (1) केन्द्रीय अस्पताल, जोडा (50 शैयाएं)
- (2) प्राथमिक स्वास्थ्य केन्द्र, जाहरी।
- (3) जल चिकित्सा ओषधालय, बारजिल।
- (4) एक एम्बुलेंस गाड़ी।
- (5) प्राथमिक स्वास्थ्य केन्द्र, नुआगांव।

महाराष्ट्र:

- (1) प्राथमिक स्वास्थ्य केन्द्र, रेड़ी।
- (2) एक एम्बुलेंस गाड़ी।

मध्य प्रदेश:

- (1) जल चिकित्सा ओषधालय, रजहारा।
- (2) जल चिकित्सा ओषधालय, बैलाडिया (डिपार्जिट सं० 14)
- (3) जल चिकित्सा ओषधालय, बैलाडिया (डिपार्जिट सं० 5)
- (4) दो एम्बुलेंस गाड़ियां।

कर्णाटक:

- (1) केन्द्रीय अस्पताल, करिगूर (25 शैयाओं वाला)
- (2) जल चिकित्सा ओषधालय, हासोट।
- (3) जल चिकित्सा ओषधालय, सन्दूर।

गोवा:

- (1) केन्द्रीय अस्पताल पिस्लियम दर बन्दोरा, गोवा (20 शैयाओं वाला)
- (2) जल चिकित्सा ओषधालय, कुरपेम।
- (3) तीन एम्बुलेंस गाड़ियां।

इसके अलावा लौह अयस्क/मैंगनीज अयस्क श्रमिकों के लाभ के लिए उड़ीसा में टामका नामक स्थान पर एक प्राथमिक स्वास्थ्य, केन्द्र और बादम पहाड़ में एक स्थिर जल ओषधालय मंजूर किया गया है।

इसके अतिरिक्त, लौह अयस्क/मैंगनीज अयस्क खनिकों और उनके कुटुम्ब के सदस्यों के प्रयोग के लिए टी० बी० सैनेटोरियमों और अन्य अस्पतालों में शैयाओं का आरक्षण जारी रखा गया। बिहार क्षेत्र के लिए ऐसी 45 शैयाएं और उड़ीसा क्षेत्र के लिए 32 शैयाएं, महाबोबी बिड़ला सैनेटोरियम रांची में उपलब्ध है। इसी प्रकार महागण्डू में सेंट लुक्स अस्पताल, बेनगुरला में भी 2 पंख आरक्षित रखे गए हैं। मध्य प्रदेश में, खनिकों और उनके आश्रितों के प्रयोग के लिए हिन्दुस्तान स्टील लिमिटेड के भिलाई स्थित मुख्य अस्पताल में 4 शैयाएं और जिला मुख्यालय अस्पताल कर्नामर में 5 माधुरण शैयाएं आरक्षित की गई हैं।

मैसूर में हिन्दुस्तान स्टील लिमिटेड के भिलाई मुख्य अस्पताल के लिए विशिष्ट अस्पताल उपकरणों की खरीद के वास्ते 2,16,000 रुपये भी मंजूर किए गए हैं। उड़ीसा में बोलाणी अस्पताल और देतारी अस्पताल के लिए 50,000 रुपये प्रति मशीन की लागत की दो एकसरे मशीनों की मंजूरी की गई है। सहायता अनुदान योजना के अंतर्गत मैसूर राष्ट्रीय खनिज विकास निगम द्वारा एकसरे प्लॉट की खरीद के लिए 60,000 रुपये की राशि मंजूर की गई है।

आन्ध्र प्रदेश से लौह अयस्क और मैंगनीज अयस्क खनिकों की चिकित्सीय सुविधाएं प्रदान करने के लिए दो डाक्टरों की प्रशासनिक सेवाएं जारी रखी गई हैं।

आलोच्य वर्ष के दौरान लौह अयस्क खान और मैंगनीज अयस्क खान श्रमिकों तथा उनके आश्रितों की चिकित्सीय सुविधाओं की व्यवस्था करने के लिये 56.37 लाख रुपये खर्च हुए।

II. आवास सुविधाएं:

लौह अयस्क और मैंगनीज अयस्क खनिकों के लिये आवास की व्यवस्था करना संगठन के मुख्य कार्यकलापों में से एक कार्यकलाप है। तीन योजनाएं हैं अर्थात् (1) कम लागत आवास योजना (टाईप-1) (2) नई आवास योजना (टाईप-2) और (3) अपना मकान बनाओ योजना। टाईप-1 मकान की अनुमानित लागत 6825 रुपये हैं। (काली कपास वाली या उभार वाली मिट्टी वाले क्षेत्र में 7925 रुपये हैं), जब कि टाईप-2 मकान की अनुमानित लागत 11,325 रुपये हैं (काली कपास वाली या उभार वाली मिट्टी वाले क्षेत्र में 13,425 रुपये हैं)।

अपना मकान बनाओ योजना के अंतर्गत मकान की अनुमानित लागत 1500 रुपये है (600 रुपये आर्थिक सहायता के रूप में और 900 रुपये बिना ब्याज के ऋण के रूप में दिए जाते हैं)।

2. केन्द्रीय सलाहकार बोर्ड ने आवास कार्यक्रमों की पुनरीक्षा करने के लिये उप समिति गठित की है। रिपोर्ट प्राप्त हो गई है और विचारधीन है।

3. निधि के स्थापन से विभिन्न आवास स्कीमों के अधीन 12692 मकानों के निर्माण की मंजूरी दी गई थी। अब तक 9052 मकान तैयार हो चुके हैं। और 2967 मकान निर्माणाधीन हैं। आलोच्य वर्ष में आवास सुविधाएं प्रदान करने के लिये निधि से कुल 78.18 लाख रुपये का व्यय हुआ।

III. जल प्रदाय सुविधाएं: निधि के स्थापन से विभिन्न क्षेत्रों में मंजूर की गई 42 जल प्रदाय स्कीमों में से, 3 स्कीमों को आलोच्य अवधि के दौरान चालू किया गया जिसमें चल रही जल प्रदाय योजनाओं की कुल संख्या 29 हो गई। यह सूचित किया गया है कि जल योजनाएं प्रगति पर हैं। अब तक विभिन्न क्षेत्रों में 86 कुएं खोदे गए हैं। आलोच्य वर्ष के दौरान जल प्रदाय स्कीमों पर कुल 12.09 लाख रुपये खर्च किए गए हैं।

(IV) शैक्षणिक और आसोद-प्रसोद को सुविधाएं

लोह/मैंगनीज अयस्क खान कर्मचारियों और उनके कुटुम्बों के लिए शैक्षणिक और आसोद-प्रसोद की सुविधाओं में, जिनका खर्च निधि से किया जाता है 39 बहुउद्देशीय संस्थान, 3 कल्याण केंद्र, 5 महिला व बाल कल्याण केंद्र, 12 चतुर्विध यूनिट, 2 अक्काण आवास गृह और 161 रेडियो केंद्र सम्मिलित हैं। मध्य प्रदेश क्षेत्र में खानों के मालिकों को खेलकूद, खेल, टूरिस्ट आदि के आयोजन के लिये सहायता अनुदान मंजूर किए गए हैं। डोनीमनार्ड, बगलौर में लोह अयस्क खानों के मानव संसाधन विकास सभागार का आयोजन किया गया। अनुमोदित स्कीम के अनुसार, लोह/मैंगनीज अयस्क खान अधिकारियों के उन बालकों को भी छात्रवृत्ति देने की सुविधा जारी रखी गई, जो विद्यालयों, महाविद्यालयों और तकनीकी संस्थाओं में अध्ययन कर रहे हैं। मध्य प्रदेश, गोवा और उड़ीसा तथा बिहार क्षेत्रों के स्कूलों के बच्चों को मध्याह्न भोजन देने की स्कीम जारी रखी गई। इस स्कीम को महाराष्ट्र क्षेत्र में भी शुरू किया गया है। मध्याह्न भोजन की दर 50 पैसे प्रति बालक प्रतिदिन से बढ़ाकर 75 पैसे प्रति बालक प्रति दिन कर दी गई है। कुछ क्षेत्रों में लोह अयस्क खानों के प्राथमिक स्कूल में पढ़ने वाले बालकों के लिये बर्षा भी दी गई है। आलोच्य वर्ष के दौरान इन सुविधाओं पर कुल 28.12 लाख रुपये का खर्च किया गया है।

(V) अन्य कार्यक्रमों पर:

केन्द्रीय उपभोक्ता सहकारी भंडार, जिनके बिहार में चार प्रारम्भिक भंडार हैं। और गोवा क्षेत्र में दो प्रारम्भिक भंडार हैं। लोह अयस्क खान अधिकारियों के लाभ के लिये काम करता रहा है।

(ग) घातक और गंभीर दुर्घटना लाभ योजना:

दुर्घटना के शिकार हुए व्यक्तियों की विधवाओं और वक्कों की आर्थिक सुविधाएं देने की योजना भी आलोच्य वर्ष के दौरान जारी रखी गई।

भाग-II

पहली अप्रैल, 1979 को अवशेष	2,94,45,039.13 रुपये
1979-80 के दौरान प्राप्तियां	1,26,71,926.64 रुपये
1979-80 के दौरान व्यय	2,18,45,324.58 रुपये
31 मार्च, 1980 को अवशेष	2,02,71,641.19 रुपये

भाग-III

वर्ष 1980-81 के लिये प्राप्तियां और व्यय के प्राक्कलन

1. प्राक्कलित प्राप्तियां	1,20,00,000.00 रुपये
2. प्राक्कलित व्यय	2,75,71,000.00 रुपये

[फाइल सं० एच-12015/1/80-एम० 4]

आर० के० दास, प्रवर सचिव

New Delhi, the 18th April, 1981

S.O. 1437.—In pursuance of section 10 of the Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Act, 1976 (61 of 1976), the Central Government hereby publishes the following report of the activities financed under the said Act, during the year ending the 31st day of March, 80 together with a statement of accounts for that year.

PART I

(a) General.—The Iron Ore Mines Labour Welfare Cess Act 1961 was enacted to provide for levy and collection of cess on Iron Ore for financing activities to promote the Welfare of the Labour working in the Iron Ore Mining industry. The Act came into force on the 1st October, 1963 and was extended to the Union Territory of Goa, Daman and Diu on the 1st October, 1964. The aforesaid Act has been replaced by the Iron Ore Mines and Manganese Ore Mines Labour Welfare Cess Act, 1976 (55 of 1976) and the Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Act, 1976 (61 of 1976). The new Act provides for the levy of a cess at a rate not exceeding one rupee per metric tonne of Iron Ore and rupees six per metric tonne on Manganese Ore exported or consumed internally. However, the present rate of levy is 25 paise per metric tonne on iron Ore and Re. 1 per metric tonne on manganese ore. The proceeds of the cess are utilised mainly for improvement of public health and sanitation, prevention of diseases, provision and improvement of educational facilities, medical facilities, housing and water supply schemes, amelioration of social conditions, provision of recreational facilities etc. The Welfare facilities cover workers employed directly or through contractors.

2. The cess is levied as a duty of customs on the Iron Ore/Manganese Ore exported, and as a duty of excise on Iron Ore/Manganese Ore consumed internally. The Welfare Commissioners have also been declared as cess Commissioners and their jurisdictions have been notified for purposes of collection of cess on internal consumption. The collection of welfare cess as a duty of customs is made by the Department of Customs who are paid 1% towards collection charges.

Welfare activities.—The welfare activities under different heads financed during the year from the welfare funds are indicated below:

(i) Medical facilities :—Medical facilities to Iron Ore/Manganese Ore workers getting a basic pay of Rs 730 per month and their dependents were being provided free by the organisation. It has now been raised upto the pay of Rs. 1000. Facilities were made available to the workers and their dependents in the following hospitals/dispensaries etc. established by the Organisation in different iron ore/manganese ore producing states:

BIHAR

- (1) Central Hospital, Barajamda (50 beds)
- (2) Mobile Medical Dispensary, Barajamda
- (3) Allopathic Dispensary, Karampada (near Baraburu)
- (4) Allopathic Dispensary, nuia

ORISSA

- (1) Central Hospital, Joda (50 beds)
- (2) Primary Health Centre, Joruri
- (3) Mobile Medical Dispensary, Barbil
- (4) One Ambulance Van
- (5) Primary Health Centre, Nuagaon

MAHARASHTRA

- (1) Primary Health Centre, Redi
- (2) One Ambulance Van

MADHYA PRADESH

- (1) Mobile Medical Dispensary, Rajhara
- (2) Mobile Medical Dispensary, Bailadila (Dep. No. 5)
- (3) Mobile Medical Dispensary, Bailadila (Dep. No. 14)
- (4) Two Ambulance Vans

KARNATAKA

- (1) Central Hospital, Kariganur (25 bedded)
- (2) Mobile Medical Dispensary, Hospet
- (3) Mobile Medical Dispensary, Sandur

GOA

- (1) Central Hospital, Pillim Darbandora, Goa (20 bed)
- (2) Three Ambulance Vans
- (3) Mobile Medical Dispensary, Kurpem

Also a Primary Health Centre at Tomca and one Static-cum-Mobile Dispensary at Badampahar in Orissa have been sanctioned for benefit of the Iron Ore/Manganese Ore Workers

Besides, beds were continued to be reserved for the exclusive use of Iron Ore/Manganese Ore Miners and their families in T. B. Sanatoria and other hospitals. 45 such beds for Bihar region and 32 beds for Orissa region are available in the Mahadevi Birla Sanatorium, Ranchi. Similarly 2 beds have also been reserved at St. Lukes Hospital, Vengurla in Maharashtra. In Madhya Pradesh, 4 beds were reserved in the Bhilai main hospital of the Hindustan Steel Ltd. and 5 general beds were reserved in the District Headquarters Hospital at Keonjhar for the use of miners and their dependents.

Sanction for Rs. 2,16,000 has also been issued for purchase of specialised hospital equipments for Bhilai Main Hospital of M/s. Hindustan Steel Ltd. Two X-Ray machines costing of Rs. 50,000 each have been sanctioned for the Bolani Hospital and Daitari Hospital in Orissa. An amount of Rs. 60,000 has been sanctioned for purchase of X-Ray Plant by M/s. National Mineral Development Corporation, Donimalai under grant in aid scheme.

The services of 2 part-time doctors were also continued for providing medical services to the Iron Ore and Manganese Ore workers in Andhra Pradesh.

A total expenditure of Rs. 56.37 lakhs was incurred on the provision of medical facilities to the Iron Ore Mines and Manganese Ore Mines workers and their dependents during the year under report.

(ii) Housing Facilities :

Provision of housing accommodation for iron ore and manganese ore miners is one of the main activities of the Organisation. There are three schemes viz :

- (i) Low cost Housing Scheme (Type I).
- (ii) New Housing Scheme (Type II) and
- (iii) Build Your Own House scheme.

The estimated cost of Type I house is Rs. 6,825 (Rs. 7,925 in black cotton or swelly soil area) while the estimated cost of Type II house is Rs. 11,325 (Rs. 13,425 in black cotton or swelly soil area). The estimated cost of house under Build Your Own House scheme is Rs. 1500 (Rs. 600 is paid as subsidy and Rs. 900 as interest free loan).

2. The Central Advisory Board had constituted a Sub-Committee to review the Housing Programmes. The report has been received and is under examination.

3. Under the various housing schemes, a total number of 12692 houses had been sanctioned for construction from the inception of the Fund. Out of these 9052 houses have so far been completed and 2967 houses are under construction. The total expenditure from the Fund for providing housing facilities in the year under report was Rs. 78.18 lakhs

(iii) Water Supply Facilities :

Out of 42 water supply scheme sanctioned in various regions since the inception of the Fund 3 were commissioned during the period under report bringing the total number of water supply schemes in operation to 29. The rest were reportedly in progress. 86 wells have so far been sunk in the different regions. The total expenditure on water supply schemes during the year under report was Rs. 12.09 lakhs.

(iv) Educational and Recreational Facilities :

The educational and recreational facilities provided to the iron/manganese ore mine workers and their families which were financed from the Fund included 59 Multi-purpose Institutes, 3 Welfare Centres, 6 Women-cum-Children Welfare Centres, 12 Cinema Units, 2 Holidays Houses and 164 Radio Centres. Grants-in-aid were sanctioned to mine owners for

organising sports, games, tournaments, etc. in the Madhya Pradesh region. The 7th Inter-State Sports meet of iron ore miners was held at Donimalai, Bangalore region. Scholarships were also continued to be given to the children of iron/manganese ore mine workers studying in schools, colleges and technical institutions in accordance with the approved scheme. The mid-day meals scheme for the school children was continued in Madhya Pradesh, Goa and Orissa & Bihar regions. This scheme has also been introduced in Maharashtra region. The rate for supply of mid-day meals was enhanced from 50 to 75 paise per child per day. Uniforms were also supplied to the Primary School going children of iron ore miners in some regions. The total amount spent on these facilities during the year under report was about Rs. 28.12 lakhs.

(v) Other activities.—The Central Consumer Cooperative Store with four primary stores in Bihar region and 2 primary stores in Goa region continued to function for the benefit of iron ore mine workers.

(c) Fatal and serious accident benefit scheme :

The scheme for financial benefits to widows and children of victims of accidents was also continued during the year under report.

PART-II

Opening balance as on	
1st April, 1979	Rs. 2,94,45,039.13
Receipt during the year 1979-80	Rs. 1,26,71,926.64
Expenditure during the year 1979-80	Rs. 2,18,45,324.58
Closing balance as on	
31st March, 1980	Rs. 2,02,71,641.19

PART-III

Estimates of Receipts and Expenditure for the year 1980-81

1. Estimated receipts	Rs. 1,20,00,000.00
2. Estimated expenditure	Rs. 2,75,71,000.00

[F. No. H-12015/1/80-M.IV]

R. K. DAS, Under Secy.

मई दिल्ली, 21 अप्रैल, 1981

का० खा० 1438.—महाराष्ट्र राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री एन० बी० सुन्दर रामन के स्थान पर श्री बी० श्रीनिवासन, सचिव महाराष्ट्र सरकार को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है।

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० खा० 850 (अ), दिनांक 21 अक्तूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, “(राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अधीन नामनिर्दिष्ट)” शीर्षक के नीचे मई 18 के मामले की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जायेगी, अर्थात्:—

“श्री बी श्रीनिवासन,

सचिव, महाराष्ट्र सरकार,

शहरी विकास और लोक स्वास्थ्य विभाग

बम्बई ”

[सं० यू-16012/8/81-एच०आई]

New Delhi, the 21st April, 1981

S.O. 1438.—Whereas the State Government of Maharashtra has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri V. Srinivasan, Secretary to the Government of Maharashtra to represent that State on the Employees' State Insurance Corporation, in place of Shri N. V. Sundra Raman ;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 850(F), dated the 21st October, 1980, namely :—

In the said notification, under the heading "(Nominated by the State Governments under clause (d) of section 4)", for the entry against item 18, the following entry shall be substituted, namely :—

"Shri V. Srinivasan, Secretary to the Government of Maharashtra, Urban Development and Public Health Department, Bombay."

[No. U-16012/8/81-H.I.]

नई दिल्ली, 23 अप्रैल, 1981

का० का० 1439.—उड़ीसा राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री भागेय गोबर्धन, सचिव, उड़ीसा सरकार, श्रम एवं रोजगार विभाग को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० प्रा० 850 (अ), दिनांक 21 अक्टूबर 1980 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, "(राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अधीन नामनिर्दिष्ट)" शीर्षक के नीचे मद् 21 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी अर्थात् :—

"श्री भागेय गोबर्धन,
मन्त्रय उड़ीसा सरकार,
श्रम एवं रोजगार विभाग।"

[सं० य-16012/9/81 एच० आई]

New Delhi, the 23rd April, 1981

S.O. 1439.—Whereas the State Government of Orissa has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri Bhagey Gobardhan, Secretary to the Government of Orissa to represent that State on the Employees' State Insurance Corporation, in place of Shri Prafulla Chandra Misra ;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 850(E), dated the 21st October, 1980, namely :—

In the said notification, under the heading, "(Nominated by the State Governments under clause (d) of section 4)", for the entry against item 21, the following entry shall be substituted, namely :—

"Shri Bhagey Gobardhan, Secretary to the Government of Orissa, Labour and Employment Department, Bhubaneswar."

[No. U-16012/9/81-H.I.]

का० प्रा० 1440.—ग्राइनेन्स फैक्ट्री, दमदम, जैसोर रोड, कलकत्ता (जिसे हमके पश्चात् उक्त प्रतिष्ठान कहा गया है) ने कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 17 की उप धारा (1-क) के अधीन कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 से छूट के लिए आवेदन किया है ;

और केन्द्रीय सरकार की राय में उक्त प्रतिष्ठान के कर्मचारियों पर लागू केन्द्रीय सरकार की कुटुम्ब पेंशन स्कीम, 1964 के अधीन कुटुम्ब पेंशन के रूप में ऐसे कर्मचारियों को पाध्य फायदे उन फायदों से कम नहीं हैं जो उक्त अधिनियम और कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 के अधीन उगी प्रकार के किसी अन्य स्थापन के कर्मचारियों के लिए उपबन्धित किए गए हैं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (1क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और यह नीचे विनिर्दिष्ट बातों के अतीत रहते हुए उक्त प्रतिष्ठान को कर्मचारी कुटुम्ब पेंशन स्कीम के उपबन्धों के प्रवर्तन से छूट देती है :—

गत :

- (1) ग्राइनेन्स फैक्ट्री, दमदम, जैसोर रोड, कलकत्ता का नियोजक छूट के पश्चात् किसी समय केन्द्रीय सरकार की इजाजत के बिना कुटुम्ब पेंशन के रूप में प्राप्य फायदों की मात्रा को घटा नहीं सकेगा।
- (2) नियोजक ऐसे लेखे रखेंगे, ऐसे विवरण प्रस्तुत करेंगे और निरीक्षण के लिए ऐसी सुविधाएं देगे जिसका निर्देश केन्द्रीय सरकार समय-समय पर दे।
- (3) उक्त प्रतिष्ठान की कुटुम्ब पेंशन स्कीम की व्यवस्था में, जिसमें लेखे रखना, लेखा और विवरण प्रस्तुत करना, लेखों का अंतरण शामिल है, सन्निहित सारा व्यय नियोजक द्वारा वहन किया जाएगा।
- (4) निदेशक उक्त प्रतिष्ठान के नोटिस बोर्ड पर केन्द्रीय सरकार द्वारा अनुमोदित उक्त प्रतिष्ठान को कुटुम्ब पेंशन योजना के यथा-संशोधित नियमों की एक प्रति लगाएगा। वह उसके साथ अधिकांश कर्मचारियों द्वारा समझी जाने वाली भाषा में उसकी मुख्य-मुख्य बातें भी लगाएगा।
- (5) केन्द्रीय भविष्य निधि आयुक्त के पक्ष अनुमति के बिना प्रतिष्ठान की कुटुम्ब पेंशन स्कीम के नियमों में कोई संशोधन नहीं किया जाएगा। जहां किसी संशोधन से कर्मचारी के हितों पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहां केन्द्रीय भविष्य निधि आयुक्त अपनी अनुमति देने से पहले कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का पर्याप्त अवसर देगा।

[फाईल सं० एम 35014/3/80-एफ०पं०जी०]

S.O. 1440.—Whereas the Ordinance Factory, Dum Dum, Jessore Road, Calcutta (hereinafter referred to as said establishment) has applied for exemption, from Employees' Family Pension Scheme, 1971, under sub-section (1A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952).

And whereas, in the opinion of the Central Government the benefits is the nature of family pension under the Central Government Family Pension Scheme, 1964 applicable to the employees of the said establishment, are not less favourable to such employees than the benefits provided under the said Act, and the Employees' Family Pension Scheme, 1971 to employees in any other establishment of a similar nature ;

Now, therefore, in exercise of the powers conferred by sub-section (1A) of section 17 of the said Act, and subject to the conditions specified hereunder, the Central Government hereby exempts the said establishment from the operation of all the provisions of the Employees' Family Pension Scheme, 1971.

Conditions :

- (i) The employer shall not, at any time after exemption, without the leave of the Central Government, reduce the quantum of benefits in the nature of Family Pension.
- (ii) The employer shall maintain such accounts, submit such returns and provide for such facility for inspection as the Central Government may from time to time direct.
- (iii) All expenses involved in the administration of the family pension Scheme of the said establishment, including maintenance of accounts, submission of accounts and return, transfer of accounts, shall be borne by the employer.
- (iv) The employer shall display on the notice board of the establishment, a copy of the rules in incorporating therein all amendments, if any, of the family pension Scheme of the said establishment as approved by the Central Government, alongwith a translation of the salient features thereof in a language understood by the majority of the employees.
- (v) No amendment of the rules of the Family Pension Scheme of the said establishment, shall be made without the previous approval of the Central Provident Fund Commissioner. Where any amendment is likely to affect adversely the said interests of the employees, the Central Provident Fund Commissioner shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

[File No. S. 35014/3/80-FPGI]

शुद्धि-पत्र

नई दिल्ली, 23 अप्रैल 1981

का० आ० 1441.—भारत के राजपत्र भाग 2, खण्ड 3, उपखण्ड (ii) तारीख 23 अगस्त, 1980 के पृष्ठ 2952 पर प्रकाशित, भारत सरकार के श्रम मंत्रालय की अधिसूचना सं० का० आ० 2120, तारीख 8 अगस्त, 1980 की पंक्ति 1-2 में, "साखसारिया" शब्द के स्थान पर "सेखसारिया" पढ़ें।

[एस-35018 (143)/79-पी० एफ-2(i)]

CORRIGENDUM

New Delhi, the 23rd April, 1981

S.O. 1441.—In the notification of the Government of India in the Ministry of Labour No. S.O. 2120 dated the 8th August, 1980 published at page 2952 of the Gazette of India Part II—Section 3—Sub-section (ii), dated the 23rd August, 1980, at page 2952 in lines 3-4 for the words and figures "Messers Satyanarayana Sakhsaria (Private) Limited, 11-a" read "Messers Satyanerayan Sekhsria (Private) Limited, 11-A".

[S. 35018(143)/79-PF-II(i)]

का० आ० 1442.—भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii), तारीख 23 अगस्त, 1980 के पृष्ठ 2952 पर प्रकाशित, भारत सरकार के श्रम मंत्रालय की अधिसूचना सं० का० आ० 2121, तारीख 8 अगस्त, 1980 की पंक्ति 4 में, "साखसारिया" शब्द के स्थान पर "सेखसारिया" पढ़ें।

[एस-35018/143/79-पी० एफ-2 (ii)]

नवीन चावला, अवर सचिव

S.O. 1442.—In the notification of the Government of India in the Ministry of Labour No. S.O. 2121 dated the 8th August, 1980 published at page 2952-2953 of the Gazette of India Part II, Section 3, Sub-section (ii), dated the 23rd August, 1980 at page 2953 in line 4. for the word "Satyanarayana" read "Satyanarayan".

[S. 35018(143)/79-PF-II(ii)]

NAVIN CHAWLA, Dy. Secy.

New Delhi, the 22nd April, 1981

S.O. 1443.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in respect of a complaint under Section 33A of the said Act filed by Shri Budhan Singh, Miner, TISCO's 6 and 7 Pits Jamadoba, Colliery, C/o Md. Aurangazeb, 6 and 7 Pits Jamadoba Colliery, Post Office Bhaga, District Dhanbad against the management of Messrs Tata Iron and Steel Company Limited, through its Manager of 6 and 7 Pits Jamadoba Colliery, Post Office Bhaga, District Dhanbad, which was received by the Central Government on the 14th April, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO 3, DHANBAD

Complaint Case No. 2/80

PRESENT :

Shri J. N. Singh, Presiding Officer.

PARTIES :

Sri Budhan Singh, Miner, TISCO's 6 & 7 Pits Jamadoba
Colliery, C/o Md Aurangzeb, 6 & 7 Pits Jamadoba
Colliery, P.O. Bhaga, District Dhanbad

Complainant

Vs.

M/s The Tata Iron & Steel Co Ltd., Through its
Manager of 6 & 7 Pits Jamadoba Colliery, P. O.
Bhaga, District Dhanbad.

...Opposite Party

APPEARANCES :

For the Complainant—None.

For the Opposite Party—Sri S. S. Mukherjee, Advocate.

INDUSTRY : Coal

STATE : Bihar

Dated, the 6th April, 1981

AWARD

This is an application U/s 33A of the Industrial Disputes
Act, 14 of 1947.

2. The case of the applicant Sri Budhan Singh is that he was working as a Miner under the opposite party since 1960. The management by Chargesheet No 206 dated 2nd April, 1980 brought allegation against him that he indulged in abusive and vulgar language and assaulted one Sri Kailash Prasad, the Local Branch Secretary of Rashtriya Colliery Mazdoor Sangh in course of his trade union activities. The applicant denied the said charge but still the management has threatened to take drastic action against him which is illegal and unwarranted.

3 It is submitted that the aforesaid action of the management is illegal and the present application has been filed as Reference No 14/79 is pending in this Tribunal.

4 The opposite party has contested and it is their case that there has been no violation of any of the provisions of Section 33 of the Industrial Disputes Act and hence the case is not maintainable. It is further stated that the applicant has been chargesheeted for certain offences committed by him which is still pending and there has been no breach of conditions of service. It is also stated that proper departmental enquiry will be held against him and then necessary orders will be passed.

5. The complainant did not appear in this case on several dates inspite of notice and hence it was taken up ex parte. From a perusal of the petition itself it is clear that it is not maintainable U/s 33A of the Industrial Disputes Act. There has been no violation of the provisions of Section 33 of the Industrial Disputes Act as neither the conditions of service has been changed nor the applicant has been dismissed from service or any action has been taken against him. The present petition is thus a premature one and it is not maintainable U/s 33A of the Industrial Disputes Act.

6 On the facts stated above it is held that the present petition is not maintainable and hence it is dismissed.

7. I give my award accordingly.

[No L-20025(2)/81-D III(A)]

J. N. SINGH, Presiding Officer

New Delhi, the 24th April, 1981

SO 1444—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No 2 Dhanbad in the industrial dispute between the employers in relation to the management of Chattkam Colliery of Eastern Coalfields Limited, Post Office Kunda, Via-Deoghar (Santhal Parganas) and their workmen, which was received by the Central Government on the 13th April, 1981.

gement of Chattkam Colliery of Eastern Coalfields Limited, Post Office Kunda, Via-Deoghar (Santhal Parganas) and their workmen, which was received by the Central Government on the 13th April, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2) DHANBAD.

PRESENT :

Shri J. P. Singh, Presiding Officer

Reference No. 69 of 1979

In the matter of an industrial dispute under S. 10(1)(d) of
the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of
Chattkam colliery of Messrs Eastern Coalfields
Limited, Post office Kunda (District Santhal Par-
ganas) Via-Deoghar.

AND

Their workmen.

APPEARANCES :

On behalf of the employers : Shri T.P. Choudhury,
Advocate

On behalf of the workmen : Shri S. Bose, Secretary
Rastriya Colliery Mazdoor Sangh, Dhanbad.

STATE : Bihar

Industry : Coal

Dhanbad, 30th March, 1981

AWARD

This is a reference under S. 10 of the I.D. Act, 1947. The Central Government by its notification No. L-20012/222/76-D III(A) dated 21st June, 1977 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the action of the management of Chattkam colliery of Messrs Eastern Coalfields Limited, Post Office Kunda (District Santhal Parganas), Bihar, in preventing Shri Bishnudeo Jha from working in the colliery after 12th June, 1975 is justified? If not to what relief is the said workman entitled?"

2. The concerned workman Shri Bishnudeo Jha claims to be working in Chattkam colliery since the year 1968 as a munshi. This colliery was taken over by the Central Government from May-June, 1974 under the Coal Mines Nationalisation Act, 1973. This colliery was a very small Coal mine working seasonally and situated in a remote part of the district of Santhal Parganas (Bihar). The previous owner was Shri Hirdayanand Bhagat son of Jugaj K. Shore Bhagat who was a resident of Barhal (S.P.). It is an admitted position that during rainy season the mine work was completely stopped and the workers were allowed to go home. It is also an admitted position that after the rains when the work was to commence, workers were called to their works. The case of the concerned workman is that the private owner had a scant regard for law of the mines or for any statutory regulations. The enforcement officers could hardly reach Chattkam due to its situation in the interior part of the district. The concerned workman never got any appointment letter from the private owner, but he has filed certain papers written in the pen of the private owner to indicate that he was a worker of Chattkam colliery. His grievance is that as a result of nationalisation of the colliery of a good number of workers were stopped from resuming their duties in the colliery and subsequently some of them who could exercise influence managed to get jobs and the rests were refused. The concerned workman tried his best to get work and in fact got work for some time in the colliery, did not receive payment and ultimately refused any work in the colliery. An industrial dispute was raised by the concerned workman on the basis of which this reference has been made.

3 The management has admitted that Chattkam is a very small mine located in the interior of the district of Santhal Parganas in the Pakur Sub-division about 9 miles

away from the nearest main road. It had only one small quarry which is lying closed since last one year. It has been contended that it was such a small mine that the management could not even deploy a 2nd class mining engineer for this colliery and there used to be only one Permit manager for the colliery and neighbouring Simlong colliery. The management further has stated that on the date of take over available statutory records were seized. The name of the concerned workman Shri Bishnudeo Jha did not appear in any of the records and so according to the management Shri Bishnudeo Jha was never a workman of the colliery. At the time of conciliation proceeding some certificates, slips and some other documents were filed by the concerned workman, and with regard to them the management's case is that they were dubious documents. For all these reasons the management has stated that the reference should be dismissed.

4. A number of documents have been filed by the management. Exts. M1 and M2 are form B registers. Exts. M3 and M4 are monthly pay registers from 1972 to 1974. Exts. M5 is bonus register, Ext. M6 is form D register from 16-2-1974 to 19-4-1974, Ext. M7 is form D register from 20-4-74 to 31-5-74, Ext. M8 is form E register from 30-11-74 to 24-5-75, Ext. M9 is form E register from 26-4-75 to 24-7-75, Ext. M10 is signature of Shri Srivastava Personnel Officer, Ext. M11 is signature of Shri N.R. Ghosh in Form B register, Ext. M12 is again signature of Shri N.R. Ghosh in form B register and Ext. M13 is a Man Power list of Chattrkam colliery and Simlong prepared by the management after nationalisation. Now these are the documents filed to show that these statutory registers do not contain the name of Shri Bishnudeo Jha. According to the management these documents were seized at the time when the take over took place. The idea is to show that if the concerned workman, Shri Bishnudeo Jha was a workman of the colliery his name should have occurred in the registers maintained by the private owner of the colliery at the time of take over.

5. Now let us consider these documents. The majority of the documents have been proved by MW-1, Shri D.I. Patel. Prior to 1975 he was a clerk in Chattrkam colliery. He started his service in the colliery in 1972 as attendance clerk. Obviously he was an employee of the previous owner. He has said that the colliery was taken over on 31-5-74 and at that time the colliery was maintaining statutory registers. In cross-examination MW-1 has said about Exts. M1 and M2 the form B registers. It appears that in Ext. M2 all the names of Ext. M1 were brought forward. Ext. M2 does not bear the signature of the witness anywhere. In Ext. M1 there is no signature of the colliery manager at all. He has further said that Ext. M1 was partly written by him and partly by Shri Anand Patel and partly by some other person whose handwriting he was not able to identify. Then again in Ext. M1 after Sl. No. 200, serial number 45 again starts in the pen of this witness. In this register the year ending period has not been filled up. In Ext. M1 there is no mention of date of termination of service. Then again the witness has said that entries after Sl. No. 1 were not all made by him. In the first page there is Sl. Nos. 1 to 11, but next page starts again with Sl. No. 8 and ends with Sl. No. 19. He has admitted that from Sl. No. 8 the rest of the entries have been made by him. The witness has further said that after Sl. No. 217 the entries have been made by him and thereafter somebody else has done it. The witness has not been able to identify the handwriting after Sl. No. 218. Curiously enough the witness has said that none of the entries in Ext. M2 have been made in his pen. Moreover, the payment registers, Exts. M3 and M4 are also not in his pen and similarly the bonus register, Ext. M5 is also not in his pen. The witness has not been able to say as who has written Ext. M2, M3, M4, and M5. The witness moreover has said that Exts. M6 and M7 have been written in his pen and these are form D registers. But when his attention was particularly drawn to Ext. M7 he says that it has been only partly written by him. The witness has admitted that Exts. M8 and M9 are not in his pen. He has not been able to say as to who has written them. I think it has been rightly contended on behalf of the concerned workman that none of these documents on whom the management relies for showing that the concerned workman was not an employee of Chattrkam colliery have been satisfactorily proved in order to make them authentic documents. It has been contended on behalf of the concerned workman in the written statement as well as in oral evidence that the private owner

had established a kingdom of his own in Chattrkam colliery where no statutory registers were at all maintained and they were all prepared in a haphazard manner at the time of take over. It has further been contended that the names of only such persons were mentioned in the register in whom the then officials of the colliery were interested. So far as this workman is concerned his positive case is that he had taken leave from the private owner and had gone home and by the time he returned the take over process had been completed. He then knocked at all possible doors to continue his employment but has not received any sympathetic consideration. In the background of what I have said with regard to the statutory documents produced by the management, it is very likely that the name of the concerned workman was either inadvertently left out or purposely left out.

6. Now let us see if we can gather from the evidence both oral and documentary as to whether Shri Bishnudeo Jha the concerned workman at all worked in Chattrkam colliery. The management examined only two witnesses. MW-1 Shri D.I. Patel and MW-2 Shri J.P. Singh who took charge of the colliery on 31-5-74. Shri J.P. Singh had no personal knowledge about Shri Bishnudeo Jha. But he admitted in cross-examination that he did not know all the workmen personally. But MW-1 Shri D.I. Patel knew Shri Bishnudeo Jha the concerned workman personally. He has admitted that between 1972 and the date of take over he had seen Shri Bishnudeo Jha in the colliery loitering about 15 to 20 times. This shows that Shri Bishnudeo Jha had something to do with that colliery for otherwise a person resident of Bhagalpur district could not be expected to be unnecessarily wasting his time in that colliery between 1972 and 1974. The witness has denied the suggestion that he was concealing the truth, for otherwise he would be removed from the service of management. Now this is the circumstance showing that Shri Bishnudeo Jha was engaged in some work in that colliery between the year 1972 and 1974.

7. Now let us see what the document of the workman says. Ext. W. 1 is a letter dated 7-6-68 written by Shri Hiridaya Nand Bhagat, ex-owner of Chattrkam colliery. It was addressed to one Shri M. S. Thakur in which he was called upon to bring with him Shri Bishnudeo Jha for working on the river gha for some days. This letter also mentions that it was not possible for the owner to take a jeep to that colliery on account of rain. This shows that the owner was getting multifarious work done besides the colliery work from the workmen. Ext. W. 2 is an endorsement by the overman on a petition of Shri Bishnudeo Jha and 4 other including one Shri Baban Mahato. He has certified that some of them have worked for six years during the time of the private owner. His representation is Ext. W.3. Exts. W.4, W.5 and W.6 are all slips showing that Shri Bhuneshwar Thakur and Shri Bishnudeo Jha were engaged as bailing cooly in the colliery. Ext. W.4 is dated 12th June, 1975. Exts. W.5 and W.6 are illegible. Ext. W.7 is a representation by Shri Bishnudeo Jha, Shri Baban Mahato and others addressed to Sub-Area Manager. Ext. W.8 is a certificate issued by Shri Mandal Kisku, Sarpanch of Gram Panchayat that Shri Bishnudeo Jha worked as Munshi in Chattrkam colliery before and after nationalisation. Ext. W.9, Ext. W.10, W.10/1 and W.10/2 are all addressed to Ministers and public figures by workmen ventilating their grievance. Ext. W.12 is a large bunch of slips showing the nature of work performed by them. One of them dated 25th May, 1975 has been signed by Shri Bishnudeo Jha munshi in which it has been stated that 4 persons worked under him in making of colliery road and other slips show that he got two trucks loaded. According to the case of the concerned workman the management had consented to take work from him on muster roll although he should have been taken in the regular employment. The management has not filed any document to refute this contention. No muster roll register was filed nor any paper was filed to show that payments were made on muster roll. Ext. W.14 is a petition filed by Shri Bishnudeo Jha on 9th May, 1975 addressed to Officer-in-Charge, Sub-Area, Deogarh stating that he was working from the time of the private

owner and he was denied employment. Ext. W.15 is another letter written by Shri Bishnudeo Jha to the Secretary, United Coal Workers Union, Ext. W.17 is a letter written by the Secretary of Colliery Mazdoor Sangh Shri B. P. Mishra. In this letter it has been stated that he personally known that before nationalisation Shri Bishnudeo Jha was working in Chattkam colliery under the private owner. Ext. W.18 is a letter from Gram Panchayet Mukhiya certifying the same fact. The B.D.O. of that area has also certified that Shri Bishnudeo Jha and Shri Baban Mahato were employees of Chattkam colliery for several years. It appears that some of the workers including Shri Bishnudeo Jha and Shri Baban Mahato had gone on hunger strike because justice was not made to their case and the local officials had also intervened. This is probably the reason why the B.D.O., the Sarpanch, Mukhiya were seized with the problem and had certified that both Shri Bishnudeo Jha and Shri Baban Mahato were the old employees of the private owner and had been denied job by the present management.

8. Thus, considering all aspects of the case, both documentary and oral I have to conclude that the concerned workman Shri Bishnudeo Jha was in service of the ex-owner of the colliery as munshi and that even after the take over and nationalisation Shri Bishnudeo Jha worked on muster roll and that his services were discontinued after 12th June, 1975. The requirement of the Nationalisation Act is that a workman on the date of take over and nationalisation is entitled to continue on the job on the same terms and condition and his service condition cannot be changed without resorting to the procedure laid down therein. Apparently this is a case of termination of service w.e.f. 12th June, 1975 and it cannot be sustained. Thus the reference is therefore answered as below:

9. Considering all aspects of the matter I have to hold that the action of the management of Chattkam colliery of Messrs Eastern Coalfields Limited, Post Office Kunda (District Santhal Parganas), Bihar in preventing Shri Bishnudeo Jha, from working in the colliery after 12th June, 1975 is not justified. Consequently, the concerned workman, Shri Bishnudeo Jha should be deemed to be in the service of Chattkam colliery with effect from 12th June, 1975. He is also entitled to all the back wages and other emoluments with effect from 12th June, 1975.

This is my award.

J. P. SINGH, Presiding Officer
[No. L-20012/222/76-D.III(A)]

New Delhi, the 25th April, 1981

S.O. 1445.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Kessurgarh Colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkharkee, District Dhanbad and their workmen, which was received by the Central Government on the 10th April, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 18/80

PRESENT :

Shri J. N. Singh, Presiding Officer.

PARTIES :

Employers in relation to the management of Kessurgarh Colliery of M/s. Bharat Coking Coal Ltd., P.O. Nudkharkee, District Dhanbad

AND

Their workmen

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri B. K. Ghose, Member, Executive Committee, J.M.S.

INDUSTRY : Coal.

STATE : Bihar.

Dated, the 3rd April, 1981

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/s 10(1)(d) of the Industrial Disputes Act, 14 of 1947 have referred the following dispute to this Tribunal for adjudication by their Order No. L-20012(168)/79-D.IIIA dated the 28th March, 1980.

SCHEDULE

"Whether the action of the management of Kessurgarh Colliery of M/s. Bharat Coking Coal Ltd., P.O. Nudkharkee, District Dhanbad in converting Sarvasri Narayan Bilaspuri, Ch. Tilak Bilaspuri, Jhagra Mahto and Khikho Prasad from underground loaders to explosive Carriers during 1975 and 1977 without giving them adequate protection in wages was legal and justified? If not, to what relief are the said workmen entitled and from what date?"

2. The case of the workman as propounded by the union is that the concerned workmen were working as underground loader at Kessurgarh colliery and in the year 1975 and 1977 they were converted to time raters as Explosive Carriers without their consent and placed on the initial stage of Category II without adequate protection of wages. It is stated that the above fixation has resulted in reduction of their wages and though the job assigned to them is unskilled and light but they are entitled to get protection of their wages.

3. The case of the employers, however, is that the concerned workmen were piece rated loaders working in the side of the mines and the work of loaders are very strenuous and requires much physical energy to give the required workload. The job of Explosive Carrier is very light as he has to carry explosive once from the magazine to the place of work and thereafter he has to assist the shotfirer in carrying on Blasting jobs. Narain Bilaspuri, Tilak Bilaspuri and Jhagra Mahto the concerned workmen approached the Manager in 1974 & 1975 to give them some lighter job such as the job of explosive carrier which posts were lying vacant at that time. Another workman Khiko Prasad also approached for the same. The management explained to them that they would be paid the wages for this job as fixed by the Wage Board recommendations and as the work of Explosive Carriers was lighter the concerned workmen agreed to accept the said post on condition of receiving the wage meant for Explosive Carriers and since then they are working as such. It is submitted that the present act of the management was an act of benevolence and since 1975 & 1977 no complaint was ever made by these workmen regarding their wages. It is also submitted that the management is still willing to give these workmen their original job of loaders and pay them piece-rated wages which they were getting but they are not ready to do so. According to the management the concerned workmen voluntarily offered to work as Explosive Carrier at the wages fixed for the aforesaid work and they cannot now claim higher wages for doing lighter work. It is stated that the union has taken this issue without properly appreciating the facts and that the concerned workmen are satisfied with their present job.

4. The only point for consideration is as to whether the concerned workmen are entitled to adequate protection of their wages as prayed for.

5. None of the workmen has come to depose that they were given the job of Explosive Carriers without their consent. They are working as such since 1975 & 1977 but no complaint was ever made by them before the management. No bit of paper has been filed to show that after getting the job of explosive Carrier they represented the management for protection of their wages. They have not even cared to come before this Court to support their case.

6. As against this the management has examined Shri J.P. Singh, Agent MW-1. He was working in this colliery as Manager and Manager-cum-Agent since 1973. He has stated that the job of mine loaders are most strenuous and maximum physical labour is required while the job of Ex-

Explosive Carrier is very light as compared to that. The Explosive Carriers have to carry only 5 kg. of explosive once in a shift of the whole duty hours. He has further stated that the concerned workmen along with others came to him and prayed for a lighter job. He then called the Personnel Officer and discussed the matter with him and thereafter these workmen were clearly told that they would get less wages if they want lighter job. The concerned workmen agreed and then they were given the job of explosive carriers. MW-2 is Shri K. S. Singh, Personnel Officer. He has also stated the same fact. According to these witnesses the post of explosive Carrier was given to these workmen at their own request and on condition that they will accept the wage of explosive Carriers. There is no material to discredit the testimony of these two officers of the management. The evidence of the workmen as stated earlier is nil on the point.

7. From the evidence discussed above, it is clear that the concerned workmen accepted the job of Explosive Carriers voluntarily at their own request on the wages payable to an Explosive Carrier and now they cannot claim higher wages for a work which is admittedly a lighter one. The management is still prepared to give these workmen the work of loaders which they were working earlier, but the workers are not ready to go to their original job.

8. Considering the evidence on record, I hold that the concerned workmen are not entitled to get protection of their wages as prayed for by them and they are not entitled to get any relief.

9. The award is given accordingly.

I. N. SINGH, Presiding Officer
[No. I-20012(168)/79-D. III(A)]

S.O. 1446.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3 Dhanbad, in the industrial dispute between the employers in relation to the management of Madhuband Colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkharkee, District Dhanbad and their workmen, which was received by the Central Government on the 14th April, 1981.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-1 ABOUT COURT NO. 3, DHANBAD.

Reference No. 21/80

PRESENT :

Shri J. N. Singh,
Presiding Officer.

PARTIES :

Employers in relation to the management of Madhuband Colliery of M/s. Bharat Coking Coal Ltd., P.O. Nudkharkee, Dist. Dhanbad.

AND

Their workmen,

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri J. D. Lal, Secretary B.C.K. Union, Dhanbad

INDUSTRY : Coal

STATE : Bihar

Dhanbad, the 8th April, 1981

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10(1)(d) of the Industrial Disputes Act, 14 of 1947 have referred the following dispute to this Tribunal for adjudication by their Order No. I-20012(106)/78-D.IIIA dated the 10th April, 1980,

SCHEDULE

"Whether the action of the management of Madhuband Colliery of M/s. Bharat Coking Coal Ltd., P. O. Nudkharkee, Dist. Dhanbad in not employing the following 28 workmen after take over of the Colliery by the Bharat Coking Coal Ltd., is justified? If not, to what relief are the said workmen entitled and from what date?"

S.No.	Name	Designation	Date of Appointment
1.	Madan Barbi	Banksman	16-3-67
2.	Shyamantor	Watchman	25-3-67
3.	Ram Badan Prasad	"	14-3-71
4.	Ram Swaroop Ram	Hammermen	22-2-70
5.	Rajendra Pd.	G.M.	9-11-70
6.	Duryodhan Napat	"	23-3-67
7.	Rajo Chatterjee	Dumper Helper	20-3-71
8.	Munarik Pd.	Banksman	27-3-67
9.	Narayan Mondal	"	3-3-71
10.	Abdul Kalam	Lamp Khalasi	2-2-71
11.	Ayodhya Rajwar	On Setter	23-3-67
12.	Parmeshwar Pd.	"	13-12-70
13.	Parsu Ram Roy	W.E.	3-3-67
14.	Samsul	G.M.	1971
15.	Lalit Kumar Mahto	Winding Operator	1966
16.	Hemlal Mahto	G.M.	1969
17.	Jadu Mahto	T.P. Station attendant	1969
18.	Chotu Mahto	G.M.	1970
19.	Lal Mohan Rajwar	On Setter	1967
20.	Gopi Rajwar	Leading Machine Driver	1966
21.	Mathura Rajwar	Banksman	1967
22.	Sarfuddin	G.M.	1970
23.	Gorachand Mahto	G.M.	1970
24.	Longtu Rewani	G.M.	1970
25.	Ramdhani	G.M.	1970
26.	Lalit Mahto	G.M.	1970
27.	Soman Singh	Loading Machine Driver	1966
28.	Ram Swaroop	Carpenter	1970

2. Both the parties filed their respective written statements in this case which was fixed up for hearing on 7-4-81 and on that date both the parties have filed a compromise petition duly signed on behalf of the management as also the Secretary of the Union on behalf of the concerned workmen stating the terms of the settlement and prayed that an award be passed in terms of the agreement.

3. I have gone through the agreement arrived at between the parties and found that it is beneficial to the concerned workmen.

4. The award is accordingly passed in terms of the aforesaid agreement which will form part of the award.

J. N. SINGH, Presiding Officer

Enc : Settlement

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 3, DHANBAD.

IN THE MATTER OF REF. NO. 21 OF 1980

PARTIES :

Employers in relation to the management of Madhuband colliery of Bharat Coking Coal Ltd. Post Office, Nudkharkee, District : Dhanbad.

AND

Their workmen.

JOINT APPLICATION OF EMPLOYERS AS WELL AS WORKMEN

The above mentioned employers as well as the workmen covered by the reference No. 21 of 1980 beg to submit this joint application to the Hon'ble Tribunal.

I. That both the parties have mutually discussed the matter and the implications of the dispute under reference and as a result they have mutually agreed to come to an overall settlement of the dispute as per terms and conditions set out hereunder :—

(a) That the workmen covered by the aforesaid reference, who are still alive, the management agreed to offer employment to them on the following terms :—

- (i) That the workmen concerned whose names alongwith designations (the post held by them prior to discontinuance of employment) as mentioned below, were produced by the union alongwith passport size photograph in triplicate with their father's names and addresses appearing on their chest. Each workmen have been identified by Sri JD Lal, Secretary, Bihar Colliery Kamgar Union (CITU) and thereafter by Sri R.D. Singh, Superintendent, D&C Division of Bharat Coking Coal Ltd. The management shall be at liberty to satisfy itself further at any time the correct identity of the workmen concerned before and even after offering the employment.

Name of workman	Post being held prior to discontinuance of employment
1. Madan Barhi . . .	Banksman
2. Shyamautar . . .	Watchman
3. Ram Swaroop Ram . . .	Hammerman
4. Duryodhan Napit . . .	General Mazdoor
5. Munarik Prasad . . .	Banksman
6. Narayan Mondal . . .	-do-
7. Abdul Kalam . . .	Lamp Khalasi
8. Ayodhya Rajwar . . .	Onsetter
9. Parsuram Roy . . .	-do-
10. Lalit Kumar Mahto . . .	W/operator
11. Hemlal Mahto . . .	General Mazdoor
12. Jadu Mahto . . .	T.P. Station Attendant
13. Chotu Mahto . . .	General Mazdoor
14. Lalmohan Rajwar . . .	Onsetter
15. Gopi Rajwar . . .	Loading Machine Operator
16. Mathura Rajwar . . .	Banksman
17. Sarfuddin . . .	General Mazdoor
18. Gorachand Mahto . . .	-do-
19. Ramdhani . . .	-do-
20. Langtu Rewani . . .	-do-
21. Lalit Mahto . . .	-do-
22. Somar Singh . . .	Loading Machine Driver
23. Ram Swaroop . . .	Carpenter

- (ii) The workmen concerned in the reference whose names & designations are mentioned below were not found to be working at Madhuband colliery at the time of takeover and it was agreed that these cases shall dropped by the union.

Name of workmen	Post being held prior to discontinuance of employment.
1. Ram Badan Prasad . . .	Watchman
2. Rajendra Prasad . . .	General Mazdoor
3. Rajo Chatterjee . . .	Dumper helper
4. Samsul . . .	General Mazdoor

- (iii) That as regards the case of Sri Parmeshwar Prasad, Onsetter it was agreed that in case Sri Prasad turns up with three copies of photographs duly identify by Sri JD Lal, his case may be considered for employment after similar verification as mentioned at para—1(a)(i). In case Sri Prasad fails to appear within 30 days of the date of the settlement, the workmen concerned shall forfeit as in right for employment in BCCL.

- (iv) The employment will be provided subject to medical fitness of each workman concerned to be determined by the Medical Board to be constituted by the management of Bharat Coking Coal Ltd. The decision of the said Medical Board shall be final and

binding on the parties. Those who may not be found fit medically shall not be entitled to employment.

- (v) The workmen who have already attained the age of 60 years on account of pendency of dispute or who may be found medically unfit by Medical Board of B.C.C.L. shall be entitled to offer their sons for employment as a piece-rated miner/loader who should be willing to work in underground sections of the mines provided that such a son is available and he is between 18 and 35 years of age. Otherwise, they shall not be entitled to any benefit or relief.
- (vi) Those workmen who are to be employed in timerated category shall be placed at the minimum of the pay scale of the category concerned.
- (vii) In respect of other matters, the service conditions applicable to these workmen shall be those as laid down in NCWA-II and the certified standing orders or Model Standing Orders as may be applicable to the colliery establishment in which these workmen may be employed, by management initially and later from time to time.
- (viii) The workmen who are to be offered employment or their sons who may have to be offered employment in the event of their not being found fit for employment or their crossing the age of 60 years should report to the General Manager, Sijua Area with their attested photographs as provided in the agreement for dealing with their cases for employment within 30 days of the date of this settlement. If any workman or his son as the case may be, fails to report to the management within the prescribed period, he shall have no claim for employment under the employer.
- (ix) While determining the physical fitness of each workman the Medical Board shall also determine their age which shall be the age for entry into the service records of each workman concerned and for their ultimate superannuation on attaining the age of 60 years.
- (x) The employment of workmen concerned or their sons as the case may be shall be effective from the date they join duty after completion of necessary formalities which should be completed within 45 days of this agreement.
- (xi) The employment of workmen who are required to hold statutory certificate will be subject to their producing such certificates which are currently valid. If they fail to produce such certificates, the management shall have the right to offer them such alternative job for which it may consider them fit. If they refuse such an alternative job, they shall not be entitled to any other benefit or relief.
- (xii) The workmen concerned shall not be entitled to any wages or any other monetary or other benefit for the past period except that in case of those who are to be provided employment in terms of this agreement shall have the benefit of their past service being taken into account for the purpose of payment of gratuity under the Payment of Gratuity Act from the date of nationalisation of Madhuband Colliery i.e. 1-5-1972.

II. That the above agreement is in full and final settlement of all the claims of the workmen concerned in this dispute.

III. That the above agreement is fair, just and reasonable.

IV. That in view of the mutual agreement reached between the parties, the Hon'ble Tribunal is requested to give his Award in terms of this agreement. Both the parties jointly pray accordingly.

Dhanbad,

Dated

**FOR & ON BEHALF OF MANAGEMENT OF
MADHUBAND COLLIERY OF B.C.C. LTD.**

S. K. CHOUDHARY, General Manager (Personnel)

J. D. LAL, Secy., Bihar Colliery Kamgar Union, Dhanbad

[No. L-20012/106/78-D.IIIA]

New Delhi, the 28th April, 1981

S.O. 1447.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Chattkam Colliery of Messrs Eastern Coalfields Limited, Post Office Kunda, Via-Deogarh, District Santhalparganas (Bihar) and their workmen, which was received by the Central Government on the 14th April, 1981

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2), DHANBAD**

PRESENT :

Shri J. P. Singh, Presiding Officer.

Reference No. 90 of 1979

In the matter of an industrial dispute under S.10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Chattkam colliery of Eastern Coalfields Limited, Post Office Kunda, Via-Deogarh, District Santhal parganas, Bihar.

AND

Their Workmen.

APPEARANCES :

On behalf of the employers : Shri T. P. Choudhury, Advocate.

On behalf of the workmen : Shri S. Bose, Secretary, Rastriya Colliery Mazdoor Sangh, Dhanbad.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 31st March, 1981

AWARD

This is a reference under S. 10 of the I.D. Act, 1947. The Central Government by its notification No. L-20012/223/76-D.III(A) dated 16th December, 1977 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the action of the management of Chattkam Colliery of Eastern Coalfields Limited, Post office Kunda, Via-Deogarh, District Santhalparganas (Bihar) in stopping Shri Baban Mahato from work with effect from 13th June, 1975 is justified? If not to what relief is the said workman entitled?"

2. The concerned workman Shri Babban Mahato claims to be a workman of Chattkam colliery. It is a non-coking coal mine which was nationalised w.e.f. 31-5-74. According to the concerned workman he was first appointed by the private owner of the colliery in January, 1973 as night guard and on

the date of nationalisation he was serving as night guard. After the take over Shri Babban Mahato was directed by Shri J. P. Singh, Sub Area Manager to work under Shri Sonatan Rajak, overman as bailing mazdoor. Shri Babban Mahato showed his resentment before the colliery manager about the change of his service condition, and was informed that a list of workmen had been sent to the higher authority for sanction of Man Power and that he would be allowed proper duty after approval of that list. Shri Babban Mahato thereafter continued to work as bailing mazdoor till 12-6-1975 whereafter from 13-6-75 he was stopped from work. The manager informed Shri Babban Mahato that in the list of Man Power approved by the higher authority of the management his name did not occur and therefore the manager could not allow him to work in the colliery. The concerned workman came to know that one Shri Babban Singh was allowed to work on the post of night guard which the concerned workman held earlier. Thereafter he made several representation in writing to the colliery management but he did not receive any reply from the management nor was allowed to work. The concerned workman then filed a representation before the Regional Labour Commissioner (C) Dhanbad on 20-2-1975. The RLC(C) Dhanbad forwarded his representation to the Labour Enforcement Officer (C) Pakur for taking necessary action in the matter. The L.E.O held discussions with the parties and also made local enquiries. The management did not agree to take back the concerned workman to service. The L.E.O(C) Pakur submitted his failure report to the Government which has resulted into this reference.

3. The management has admitted that the actual take over of Chattkam colliery took place on 31-5-74 by the Coal Mines Authority. It has also been admitted that Shri Babban Mahato has worked as magazine guard from 4-2-73 till 30-3-73. The management's case however is that Shri Babban Mahato was not an employee either at the time of actual take over or even on 1-5-73 from which date the mine was taken over under the Coal Mines (Nationalisation) Act. It was the stand of Shri Babban Mahato that he had been working as a bailing cooly from 1-5-75 to 12-6-75. But the wage sheet and bonus register for the year 1975 did not corroborate this claim. With regard to the stand taken by the concerned workman that one Shri Babban Singh was inducted in his place as night guard, the management's case is that Shri Babban Singh had been transferred to Chattkam colliery from Fulberia colliery in the month of February, 1975.

4. It is an admitted position that in B form register the name of Shri Babban Mahato appears as a night guard and he worked from 11-2-73 to 30-3-73. It means that prior to nationalisation Shri Babban Mahato was a workman of Chattkam colliery. It establishes his case that he was an old employee of Chattkam colliery. The Man Power list was prepared after the take over in which the name of Shri Babban Mahato did not appear. According to his case he was not given any job by the colliery manager, but subsequently he was given the work of bailing mazdoor. Before the conciliation officer (C) Shri Babban Mahato produced 5 chits issued by Shri Sambhu Nath Jha, head munshi. The chits are dated 13-5-75, 16-5-75, 23-5-75, 25-5-75 and 28-5-75 in which Shri Babban Mahato and Shri Bishnudeo Jha and some others were asked to work as bailing mazdoors. There was some agitation in the colliery in which some of the old workers who were refused work went on hunger strike and therefore there was intervention of the Gram Panchayat and the Block Development Officer. We have before us Ext. W.12 a certificate issued by the B.D.O dated 30-6-76. This shows that the B.D.O had made enquiries and had found that Shri Babban Mahato and Shri Bishnudeo Jha were old employees of Chattkam colliery. Ext. W. 1 is a petition of Shri Babban Mahato addressed to the colliery manager dated 26-12-74 in which he demanded work on the ground that he was an old employee of Chattkam colliery. Ext.W.2 is a representation of Shri Babban Mahato to before the Area General Manager that he was an old employee of the colliery and that he was given employment as bailing mazdoor from 11-5-1975 to 12-6-75, but was not paid for the work done by him. His prayer was to employ him on permanent basis and to give him arrear of wages. The L.E.O. (C) Pakur has summarised in Ext. W. 11 the facts of this case and the matters that come before him at the time of conciliation proceeding. One of the important fact ascertained by him was about the appointment of Shri Babban Singh as night guard which post Shri Babban Mahato the concerned workman held earlier. He has mentioned in his

report that Shri R. P. Singh, Senior Personnel Officer admitted before him that Shri Babban Singh was an inductee and had been stopped from work from the last week of February, 1976. In this case the stand of the management is that Shri Babban Singh was brought from Fulteria colliery to work in Chattkam colliery as night guard. In support of it there is only oral evidence because no record of service of Shri Babban Singh has been produced. It appears therefore that since Shri Babban Mahato was not named in the Man Power list as night guard the same vacancy was filled up by inducting Shri Babban Singh at the instance of the colliery officials. It further appears that Shri Babban Mahato was refused work for the above reason and was temporarily required to work as bailing mazdoor in order to keep him pacified. But even then no payment was made to him for the above job. Shri Babban Mahato however pursued the matter before the Labour Department where the correct picture emerged as revealed in Ext. W. 1.

5. I need not dwell with the oral evidence at length because of the admitted position of the management that Shri Babban Mahato was an old employee of the colliery. I have given sufficient ground to show that even after nationalisation the concerned workman worked as bailing mazdoor because his place was filled up by an inductee named Shri Babban Singh. The workman has examined himself in this court as a witness and has supported his case. On behalf of the management there is no cogent evidence to indicate that Shri Babban Mahato was never a workman in the colliery. Shri T. P. Choudhury Advocate representing the management has frankly submitted that the management did not dispute that the management did not dispute that Shri Babban Mahato was a workman of Chattkam colliery.

6. Thus, considering the main aspects of this case, I have to hold that the action of the management of Chattkam colliery of Eastern Coalfields Limited, Post office Kunda, Via-Deogarh, District Santal parganas (Bihar) in stopping Shri Babban Mahato from work with effect from 13th June, is not justified. Consequently Shri Babban Mahato should be deemed to be in the employment of Chattkam colliery with effect from 13th June, 1975. He is also entitled to all the back wages and other emoluments w.e.f. 13-6-1975.

This is my award.

J. P. SINGH, Presiding Officer.
[No. L-20012/223/76-D III(A)]
A. V. S. SHARMA, Desk Officer.

आदेश

नई दिल्ली, 23 अप्रैल, 1981

का० जा० 1448.—बम्बई पत्तन ग्यास, बम्बई के प्रबन्धसल से सम्बद्ध नियोजकों और उनके कर्मचारों ने, जिनका प्रतिनिधित्व श्री० पी० टी० जमरल वर्कर्स यूनियन, बम्बई करती है, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की 10 धारा उपधारा (2) के अधीन संयुक्त रूप से केन्द्रीय सरकार को आवेदन किया है कि वह उनके बीच विद्यमान औद्योगिक विवाद को, जो उक्त आवेदन में उपबर्णित है और इससे उपाबद्ध अनुसूची में उद्युत बिचियों के बारे में है, किसी औद्योगिक अधिकरण को निर्देशित कर दे।

और केन्द्रीय सरकार का समाधान हो गया है कि आवेदन करने वाले व्यक्ति प्रत्येक पक्षकार के बहुमत का प्रतिनिधित्व करते हैं ;

अतः अब, केन्द्रीय सरकार औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण संख्या 2, बम्बई को उक्त विवाद को व्याप-निर्णयण के लिए निर्देशित करती है।

अनुसूची

- 1) क्या यह मांग न्यायोचित है कि लिपिक "ए" स्केल में श्री बी. जी. सोन्हे को लिपिक "ए" स्केल के पैल के ऐसे व्यक्तियों में, जो ऐसी तैनाती के हस्तुक्त हैं, उसकी बरिष्ठता के आधार पर और विभाग में विद्यमान ऐसी तैनातियों के नमूने और प्रवृत्ति के अनुसार 08.00 बजे प्रारम्भ होने वाले स्टोर कार्य के लिए मेरेबयर ड्राइव हाक पर इयुटी पर तैनात किया जाना चाहिए यदि हां, तो किस तारोब से ?

- (2) क्या यूनियन का यह दावा ठीक है कि ड्रेजिंग सैक्शन के एम० ई० ड्राइवर ग्रेड II, श्री युसुफ अहमद की ड्रेजिंग सैक्शन के एम० ई० ड्राइवर, ग्रेड II, श्री भोसमान खान बाबा खान की तुलना में परस्पर बरिष्ठता श्री दास गुप्ता के पंचाट के सम्बन्ध सख्या सी०जी०आर०टी०-5157 में प्रतिपादित बरिष्ठता के सिद्धांतों के अनुसार सही तरीके से निर्धारित नहीं की गई है।
- (3) पदोन्नति की पद्धति को देखते हुए, क्या मांग न्यायोचित है कि श्री एल० जे० इन्कर पेंटर को देखते इंजीनियरिंग सैक्शन में चार्जमैन के पद में हुई रक्ति जो 1-11-1980 को हुई, में पदोन्नत किया जाना चाहिए ?
- (4) क्या मुख्य लेखाकर द्वारा श्री सी०एल० राने, चपरासी का नाम रोजगार करार को समाप्त करने के कारण हाजिरी रजिस्टर से काटने की कार्यवाही ठीक है ?

[सं० एम० 31013/1/81-खी VI (ए)]

ORDER

New Delhi, the 23rd April, 1981

S.O. 1448.—Whereas the employers in relation to the management of Bombay Port Trust, Bombay and their workmen represented by the B.P.T. General Workers' Union Bombay have jointly applied to the Central Government under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), for reference of an industrial dispute that exists between them to an Industrial Tribunal in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed ;

And whereas the Central Government is satisfied that the persons applying represent the majority of each party ;

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal No. 2, Bombay constituted under Section 7A of the said Act.

SCHEDULE

- (1) Whether the demand that Shri B. G. Sonde, Clerk 'A' Scale, should be posted for duty at Merewether Dry Dock for stores work commencing at 08.00 hours' on the basis of his seniority among the panel of Clerks 'A' scale willing for such posting and in accordance with the pattern of and system of such postings prevalent in the Department is justified ? If so, from which date ?
- (2) Whether the contention of the Union that the inter se seniority of Shri Yusuf Ahmed, M.E. Driver, Gr. II, Dredging Section, has not been correctly fixed vis-a-vis Shri Oosman Khan Baba Khan, M.E. Driver, Gr. II, of the Dredging Section, in accordance with the principles of seniority enunciated in the Award of Shri Das Gupta in reference No. CGIT-5/57 is correct ?
- (3) Having regard to the system of promotion, whether the demand that Shri L. J. Inkar, Painter, should have been promoted in the vacancy of the post of Chargeman in the Railway Engineering Section which occurred on 1-11-1980 is justified ?
- (4) Whether the action taken by the Chief Accountant of striking off the name of Shri C. L. Rane Peon, from the muster for having abandoned the contract of employment is in order ?

[No. L-31013/1/81-D.IV(A)]

New Delhi, the 29th April, 1981

S.O. 1449.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrators, in the

industrial dispute between the employers in relation to the management of Messrs Tulsidas Khimji Private Limited, Clearing and Forwarding Agents, Bombay and their workmen, which was received by the Central Government on the 25th April, 1981.

**BEFORE SHRI F. H. LALA AND SHRI ASHOK H. DESAI
ARBITRATORS**

Voluntary Reference Under Section 10A, Industrial Disputes Act, 1947.

BETWEEN

Tulsidas Khimji Private Limited, Bombay

AND

Their Workmen represented by the Transport and Dock Workers Union.

Shri Narayan Shetye and

Shri I. Ramrakhiani for the Company

Shri S. J. Deshmukh for the Union.

AWARD

1. This reference arises out of the arbitration agreement entered into by the above parties on 24th February 1978 under section 10A, Industrial Disputes Act. The said agreement was received by the Government on 5th August 1978 which by its order dated 18th August 1978 directed it to be published in Gazette of India not later than the 2nd September 1978 as required by Section 10A(3) of the Act.

2. On receipt of the said order we sent notices in forms VII and VIII to the Transport & Dock Workers' Union and other workmen not represented by it to file their statements of claim. We asked the employees by a notice in form IX to display the notice in form VIII with suitable translations prominently on or before the 26th October, 1978.

3. We held several arbitration sittings after notice to the parties and their Advocates. The Union filed its Statement of Claim on 9th November 1978. It also applied for production of documents by the Company which were so produced. The Company filed its reply on 2nd December 1978. No other party appeared before us pursuant to the above notices. It was regrettable that during the hearings we lost Shri Sowani, the advocate for the Union. The arbitration could not be completed in time agreed to earlier and by their agreements dated 5th August 1978, 29th April 1979 and 29th April 1980 the parties extended the time for making an award upto 30th April 1981.

4. The dispute in question relates to the accounting year 1973/74 which ended on 31st October 1974, in calculating the bonus payable to the workers, the Company has deducted Rs. 2,13,053/- from the profits of the year under the head "gratuities".

5. By its Statement, the Union has contended that the deduction of this amount of gratuity is not permissible under the provisions of the Payment of Bonus Act, 1965. Union submits that the said provision is not an estimated liability under any gratuity scheme on an actual valuation but is only an ad hoc amount. The Union has also argued that by virtue of the amendment of section 40A of the Income-Tax Act introduced by the Financial Act of 1975 only an amount of Rs. 45,000/- which represents 15 days salary of the workers for the said year, could be permissible deduction. The Union, therefore, urges that out of the total deduction of Rs. 2,12,053/-, only a sum of Rs. 45,000/- should be allowed to be deducted as permissible expenditure and further that the balance of the amount, namely, Rs. 1,68,053/- should be disallowed and added back for the purposes of computation of gross profits.

6. By its Reply the Company contends that the payment of Bonus Act, 1965 is a self-contained Code and not governed by the income-tax deductions. It further submits that the deduction which it has made is a proper estimated liability of gratuity and is not an ad hoc deduction. The Company has also contended that since at the relevant time, there was no provision for adding back and gratuity, no amount can be added back at all.

7. The issue that arises for our consideration and arbitration is the following

- (1) Whether the amount of Rs. 2,13,053 debited to the Profit & Loss Account of the Company for the accounting year 1973-74 ended on 31st October 1974, under the head "Gratuities" should be wholly allowed as expenditure incurred by the Company during the year or should any portion of it be disallowed and be added back for the purpose of computation of "Gross Profit" under the Payment of Bonus Act, 1965. If so, what amount should be disallowed and added back?

8. Our findings are as follows:

FINDINGS

9. The Company is a leading clearing forwarding and warehousing agent. The dispute in question relates the financial year ending on 31st October 1974. In that financial year, the Company had about 181 workers. Over and above that, 7 workers left the services of the Company and were paid a sum of Rs. 39,147/55 as actually due by way of their gratuity. The Company established a gratuity fund by a Trust Deed dated 4th June 1970. This Gratuity Fund is a fund recognised and approved under the Income-Tax Act, 1961 and Rule 2(i) of Part C of the Fourth Schedule to the Act. The Company has made payment to it from time to time including Rs. 213,054/- during the relevant financial year. In calculating the profit made for the said year in order to determine the bonus payable to the workers, the Company deducted the said sum of Rs. 213,053/-. It is the contention of the Union that the Company was not entitled to deduct anything beyond the sum of Rs. 39,147/55 which represented the gratuity actually paid during the year. We may add that in the Written Statement and in the Reference made to us, the Union had admitted that an amount of Rs. 45,000/- representing salary for 15 days for that given year could be permitted to be deducted. The counsel for the Union admitted before us that even though he contended that only Rs. 39,147/55 should be allowed to be deducted, he was bound by the Reference and would accept the deduction of Rs. 45,000/-. The contentions between the parties, therefore, revolve around the deduction of the balance of the amount, namely, Rs. 1,68,053/- during that year.

10. Under S.4 of the Payment of Bonus Act, 1965, the computation of gross profit for calculating the bonus of a non-banking Company has to be as per the Second Schedule. The second schedule as it stood at the relevant time did not contain any provision for adding back any amount debited in respect of gratuity. We may note that by an amendment inserted by Act 23 of 1976, item 3(aa) was added to the second Schedule. The said item reads as follows:

"(aa) The amount debited in respect of gratuity paid or payable to, employees in excess of the aggregate of—
(i) the amount, if any paid to, or provided for payment to, an approved gratuity fund; and

(ii) the amount actually paid to employees on their retirement or on terminations of their employment for any reason."

One of the contentions raised by the Company was that in the absence of any specific entry for adding back any amount of gratuity or disallowing any deduction of gratuity, no amount paid to a gratuity fund could be added back at all. We cannot accept this contention. We are of the view that the amount of gratuity paid to the fund and deducted could not be an artificial amount of gratuity having no relationship to the actual liability of the Company to pay into such a fund. It is true that the Second Schedule as it stood in the relevant year, stated that what was to be taken into account was the net profit and loss account. This was subject to various provisions for adding back specified items. There was no specific entry at that time relating to gratuity. However, this does not by itself lend support to the contention of the Company that any amount paid or in a given case diverted to the gratuity fund must reduce the net profit and thereby affect the bonus payable to the workers. In this view, we are fortified by the view of the Supreme Court in the case of Metal Box Co. of India Ltd. Vs Their Workmen reported in AIR 1969 SC 612. In that case, the Company had deducted a large sum being the estimated liability under two gratuity schemes. The Union contended that only the amount which was actually paid and not an amount which was worked out as an estimated liability could be deducted. Union also urged that even if such an estimated

liability was debitable, the appropriation amounted to reserve and such are serve has to be added back under the Second Schedule.

11. The Supreme Court held that an estimated liability ascertainable with sufficient accuracy could be taken into account for arriving at true profits and gains under the Income-tax Act as well as under Payment of Bonus Act. The Supreme Court in the result held that the amount actually estimated by the Company ought to have been deducted in arriving at the net profits under the Profit & Loss Account. Thus it is not any amount which the Company has paid out to the gratuity fund which is deductible but such an amount must be a properly estimated liability.

12. We may state that in the present case, the Company has placed before us detailed figures to show the manner in which the sum of Rs. 2,13,053/- was paid to the gratuity fund. The deduction is an aggregate of two amounts namely, Rs. 39,147/55 and Rs. 1,73,905/92. The first sum of Rs. 39,147/55 represents the actual amount paid to 7 workmen who retired during that year by computing the gratuity on the basis of 15 days per year with a maximum of 20 years on the consolidated salary. The liability to pay the said amount or the deduction has not been disputed by the Union.

13. The Union, however, sought explanation regarding the deduction of the balance of the amount of Rs. 1,73,905/92. In reply, the Company has filed a detailed table setting out the names of 181 of its otherworkers during the relevant period, giving years of service and giving wages, which they would be entitled to draw as on 31st October 1974. The Company has explained that in accordance with law, it would have to pay gratuity which is founded on the salary being drawn by the worker at the time when his services came to an end. Thus, if a worker has an increase of salary in a given year, he would be entitled to an amount calculated at 15 days for his entire period of service on the basis of his highest salary. Thus an increase of salary in a given year would have a prorata impact on the amount due to him as gratuity from the commencement of his service. It is true that there is always an element of estimate in calculating the gratuity in a given year. In extreme cases like dismissal for misconduct or fraud, a worker may not be entitled to any gratuity. On the other hand, the gratuity which is due in a given year may go up because of subsequent increase in the salary of the worker. Taking all these into account, the Company has prepared year after year, its estimate of total liability for payment of gratuity and the differential as compared to a similar liability for the earlier year. This differential has an element of discounted value as the ultimate and actual liability is based on the higher salary of date of retirement. We find from the accounts that even though the Company had started the gratuity fund in 1970, it has not suddenly diverted its profits in the current year but had arrived at its estimated liability year after year and made payment of only the differential in the relevant year. The contention of the Union that this approach of the Company is impermissible. It is accepted by the Union that the amounts are actually paid to the gratuity fund and that the gratuity fund is a distinct entity with separate and distinct trustees. But the Union strongly relies on the facts of the Metal Box Co's case to emphasize that in that case, the calculation of liability by the Company was on an actuarial basis. The Union contends that the only deduction permissible would be the actual amount paid plus a calculation of the precise liability on an actuarial basis. The Union contends that when the Supreme Court considered the discounted present value of the liability, it had in mind only an actuarial calculation and not an estimated liability. We have carefully examined the Metal Box case and we are of the view that the ratio of the case does not lay down that actuarial calculation alone is permissible as a legitimate deduction for the purposes of calculating the estimate of liability. The Supreme Court has stated:

"If under the Income Tax Act an estimated liability ascertainable with substantial accuracy can be taken into account for arriving at the true profits and gains, there is no reason why the same cannot be done under the Bonus Act unless there is any provision therein forbidding such a practice recognised by commercial accountancy. No such provision was shown to exist in the Bonus Act."

14. We do not think that the law enjoins that intricate and detailed calculation by actuaries alone can be deducted as the estimate of the liability. We are of the view that any

estimated liability which is ascertainable with fair or substantial accuracy can be taken into account for arriving at the true profits and gains. We are further of the view that in the present case, by deducting the total sum of Rs. 2,13,053/-, the Company had deducted what was a fair approximation of its liability to the gratuity fund calculated with sufficient accuracy.

15. We, therefore, answer the question as follows: The amount of Rs. 2,13,053 debited to the Profit & Loss Account of the Company for the accounting year 1973/74 ending 31st October 1974 under the head "Gratuity" should be wholly allowed as expenditure incurred by the Company during the year.

16. We, therefore, make this Award and dispose of this Reference.

Dated this 21st day of April 1981.

F. H. LALA

ASHOK H. DESAI

[No. L-31013/1/78-D IV (A)]

NAND LAL, Desk Officer

नई दिल्ली, 23 अप्रैल, 1981

कां० प्रा० 1450.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 39 द्वारा प्रदत्त शक्ति में का प्रयोग करते हुए केन्द्रीय सरकार भारत सरकार के श्रम पूर्व श्रम और रोजगार विभाग की अधिसूचना संख्या कां० प्रा० 3810 तारीख 10 सितम्बर, 1969 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना की सारणी में क्रमांक 14 के स्तम्भ-2 में "चान्दा" के स्थान पर निम्नलिखित रखा जाए अर्थात् :—

"चन्द्रपुर"

[सं० एस०-11013/1/81-डी० 1(ए) (i)]

New Delhi, the 23rd April, 1981

S.O. 1450.—In exercise of the powers conferred by section 39 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby makes the following amendment in the notification of the Government of India, in the late department of Labour and Employment No. S.O. 3810 dated the 10th September, 1969, namely :—

In the Table to the said notification against serial No. 14, in column 2 for "Chanda" shall the following be substituted, namely :—

"Chandrapur".

[No. S-11013/1/81-D.I.A(ii)]

कां० प्रा० 1451.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा-4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या कां० प्रा० नं० 482 तारीख 29 जनवरी 1981 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना की सारणी में क्रमांक-15 के स्तम्भ 2 में "पूना" के स्थान पर निम्नलिखित रखा जाए, अर्थात् :—

"पुणे"

[सं० एस०-11003/1/81-डी० 1(ए) (ii)]

S.O. 1451.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment

in the notification of the Government of India in the Ministry of Labour S.O. No. 482 dated the 29th January, 1981, namely :—

In the Table to the said notification against serial No. 15, in column 2 for "Poona", the following shall be substituted, namely :—

"Pune".

[No. S-11013/1/81-D.IA(ii)]

नई दिल्ली, 25 अप्रैल, 1981

का० प्र० 1452.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उपखण्ड (iv) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० प्र० 3207 तारीख 31 अक्टूबर, 1980 द्वारा लोह अयस्क खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 18 नवम्बर, 1980 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केन्द्र सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः, अब, औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उपखण्ड (4) के परन्तुक द्वारा प्रवृत्त शक्तियों का प्रयोग कर हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए मई 18, 1980 से छः मास की और कालावधि के लिए उपयोगी सेवा घोषित करती है।

[सं० एम०-11017/8/81-डी० 1(ए)]

एन० के० नारायणन, अवसर सचिव

New Delhi, the 25th April, 1981

S.O. 1452.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S.O. 3207 dated the 31st October, 1980, the iron ore mining industry to be a public utility service for the purpose of the said Act, for a period of six months, from the 18th November, 1980 ;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by further period of six months ;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a period of six months from the 18th May, 1981.

[No. S-11017(8)/81-D.I(A)]

L. K. NARAYANAN, Under Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 20 अप्रैल, 1981

का० प्र० 1453.—भारतीय रेल अधिनियम 1890 (1890 का अधिनियम 10) की धारा 82 बी द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री एम० एस० कंडास्वामी प्रथम अतिरिक्त जिला म्यायाधीश तिरुनेलवेल्ली मारशालिंग यार्ड विशेष तेल टंकी के साथ तथा कोटकी पट्टे को 11-2-1981 को दक्षिण रेलवे पर 20 अप्रि त्रिवेद्रम सेंद्रुन-मद्रास मेल की जोलार्पेट पेंडेंट पोंडियार पेटें और वेनियम्बडी स्टेशनों के बीच 6 डन मद्रास एरोड यरकाउड एक्सप्रेस गाड़ी की टक्कर के फलस्वरूप उत्पन्न सभी दावों का निपटारा करने के लिए, दावा आयुक्त के रूप में नियुक्त करती है। उनका मुख्यालय मद्रास होगा।

[सं० 81ई (ओ) 11/1/1]

हिम्मत सिंह, सचिव रेलवे बोर्ड

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 20th April, 1981

S.O. 1453.—In exercise of the powers conferred by Section 82-B of the Indian Railways Act, 1890 (Act IX of 1890), the Central Government hereby appoints Shri M. S. Kandaswamy, First Additional District Judge, Tirunelveli, as Claims Commissioner to deal with all the claims arising out of the collision involving 20 UP Trivendrum Central-Madras Mail with Jolarpet-Tondiarpet Marshalling Yard Oil Tank Special and 6 Dn. Madras Erode Yercaud Express between Kathandapatti and Vaniyambadi stations on Southern Railway on 11th February, 1981. His headquarters will be at Madras.

[No. 81/E(O)II/1/1]

HIMMAT SINGH, Secy. Railway Board
and ex. officio Jt. Secy.

